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BEFORE THE
COPYRIGHT ROYALTY TRIBUNAL
WASHINGTON, D.C.

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In the Matter of :

1990 CABLE COPYRIGHT ROYALTY :
DOCKET NO. CRT 92-1-90CD
DISTRIBUTION PROCEEDING :
- - - - - -X

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(This volume contains pages 642 through 820)

Washington, D.C.

Wednesday, September 15, 1993

The above-entitled matter convened,
pursuant to adjournment, in the Offices of the
Copyright Royalty Tribunal, in Room 921, 1825
Connecticut Avenue, N.W., Washington, D.C., at 10:00
a.m.

BEFORE:

CINDY DAUB	Chairperson
BRUCE D. GOODMAN	Commissioner
EDWARD J. DAMICH	Commissioner

LINDA R. BOCCHI General Counsel

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WASHINGTON, D.C. 20005

APPEARANCES:**PROGRAM SUPPLIERS:****On behalf of MPAA:**

DENNIS LANE, ESQUIRE
JANE SAUNDERS, ESQUIRE
BRIAN HOLLAND, ESQUIRE
Morrison & Hecker
1150 18th Street, N.W.
Suite 800
Washington, D.C. 20036-3816
(202) 785-9100

Music Claimants:**On behalf of ASCAP:**

I. FRED KOENIGSBERG, ESQUIRE
White & Case
1155 Avenue of the Americas
New York, New York 10036-2787
(212) 819-8200

BENNETT M. LINCOFF, ESQUIRE
Senior Attorney, ASCAP
One Lincoln Plaza
New York, New York 10023
(212) 621-6270

On behalf of BMI:

CHARLES T. DUNCAN, ESQUIRE
MICHAEL FABER, ESQUIRE
MARC A. LURIE, ESQUIRE
Reid & Priest
701 Pennsylvania Avenue, N.W., Market Square
Washington, D.C. 20004
(202) 508-4081

On behalf of SESAC:

LAURIE HUGHES, ESQUIRE
SESAC, Inc.
55 Music Square East
Nashville, Tennessee 37203
(615) 320-0055

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WASHINGTON, D.C. 20005

APPEARANCES: (Continued)**On behalf of Multimedia:**

ARNOLD LUTZKER, ESQUIRE
CARY ANN EURE, ESQUIRE
Dow, Lohnes and Albertson
1255 23rd Street, N.W.
Washington, D.C. 20037
(202) 857-2941

NATIONAL ASSOCIATION OF BROADCASTERS:

JOHN I. STEWART, JR., ESQUIRE
KATHERINE WHITE, ESQUIRE
Crowell & Moring
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2505
(202) 624-2500

JOINT SPORTS CLAIMANTS:

ROBERT A. GARRETT, ESQUIRE
JAMES S. PORTNOY, ESQUIRE
KITTY BEHAN, ESQUIRE
Arnold & Porter
1200 New Hampshire Avenue, N.W.
Washington, D.C. 20036
(202) 872-6700

PUBLIC BROADCASTING SERVICE:

TIMOTHY C. HESTER, ESQUIRE
MICHELE J. WOODS, ESQUIRE
Covington & Burling
1201 Pennsylvania Avenue, N.W., P.O. Box 7566
Washington, D.C. 20044
(202) 662-6000

DEVOTIONAL CLAIMANTS:

JOHN H. MIDLEN, JR., ESQUIRE
Midlen & Guillot, Chartered
3238 Prospect Street, N.W.
Washington, D.C. 20007-3214
(202) 333-1500

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WASHINGTON, D.C. 20005

APPEARANCES: (Continued)

BARRY H. GOTTFRIED, ESQUIRE
Fisher, Wayland, Cooper & Leader
1255 23rd Street, N.W.
Suite 800
Washington, D.C. 20037
(202) 659-3494

RICHARD M. CAMPANELLI, ESQUIRE
Gammon & Grange
8280 Greensboro Drive, 7th Floor
McLean, Virginia 22102
(703) 761-5000

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P R O C E E D I N G S

(10:04 a.m.)

CHAIRPERSON DAUB: We are on the record. We will continue the 1990 Cable Royalt Distribution proceedings, wtih Mr. Richard Thrall for the Program Suppliers.

Before we begin with Mr. Thrall, just to let the parties know, in response to Program Suppliers' motion for reconsideration of the order restricting access to materials underlying the Bortz study, we would like to have the other parties' comments by Friday.

(Whereupon, the Tribunal conferred off the record.)

COMMISSIONER GOODMAN: I would just like to ask the parties, Mr. Hester and Mr. Lane, what the status is --

COMMISSIONER DAMICH: Do you want to do this off the record?

COMMISSIONER GOODMAN: Yes, let's go off the record.

(Discussion off the record.)

CHAIRPERSON DAUB: Back on the record.

Mr. Lane, would you proceed?

MR. LANE: I would call Mr. Thrall to the

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1 stand, and I would note for the record that Arnold
2 Lutzker and Cary Eure, of the law firm Down, Lohnes
3 and Albertson, who are Multimedia's regular counsel,
4 are with me today at the hearing.

5 Whereupon,

6 RICHARD C. THRALL

7 was called as a witness and, having first been duly
8 sworn, was examined and testified as follows:

9 DIRECT EXAMINATION

10 BY MR. LANE:

11 Q Would you please state your name for the
12 record?

13 A Richard C. Thrall.

14 Q Did you prepare or have prepared under your
15 direction and supervision a document entitled Direct
16 Testimony of Richard Thrall for Program Suppliers,
17 which was previously exchanged in this case?

18 A Yes, I did.

19 Q Do you have any corrections to that
20 testimony?

21 A No.

22 Q Did you also prepare or have prepared under
23 your direction and supervision Exhibits A through H
24 attached to that testimony?

25 A Yes, I did.

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1 Q Do you have any corrections to those
2 exhibits?

3 A No.

4 Q By whom are you employed, Mr. Thrall?

5 A I work for Multimedia Entertainment.

6 Q Would you briefly describe what businesses
7 Multimedia is in?

8 A Multimedia Entertainment is one of four
9 divisions of Multimedia, Inc. Multimedia
10 Entertainment produces and distributes programs,
11 television programs. There are three other divisions
12 of the company -- a newspaper division, a cable
13 division, and a broadcast division that owns
14 television and radio stations.

15 Q What is your position with Multimedia
16 Entertainment?

17 A I'm Senior Vice President, Administrations
18 and Operations.

19 Q Could you briefly describe your duties and
20 responsibilities?

21 A I'm in charge of the programs, the first-
22 run programs we produce. The executive producers
23 report to me. I arrange the distribution details,
24 satellites, and tape dubbing, the physical ways that
25 we get our programs to our customers, and various

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1 other administrative duties associated with the
2 corporate office.

3 Q How long have you been with Multimedia or
4 its predecessors?

5 A Twenty-five years, almost 26 -- it is 26,
6 now that I think about it -- 26 years. AVCO was the
7 company that began the syndicated program operation,
8 and that company was acquired by Multimedia in 1976.
9 I started with AVCO in 1967.

10 Q Would you briefly tell us some of the other
11 positions you've held with the company?

12 A I've worked as a program executive at a
13 station, I've been manager of corporate programs and
14 advisor on programming to the station group, and I've
15 been general manager of an operation that we had in
16 Nashville that produced music programs, and did music
17 publishing, and I've had a variety of positions as far
18 as the syndication operation, including the manager,
19 vice president, Senior Vice President of Programming
20 Administration and Operations.

21 Q Have you previously testified before the
22 Tribunal?

23 A Yes, I think I've been here eight times
24 before, although this is the first time on Phase I.

25 Q Is Multimedia a member of the MPAA

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1 represented companies?

2 A No, it is not.

3 MR. LANE: Madam Chairman, I would make Mr.
4 Thrall available for voir dire at this time.

5 CHAIRPERSON DAUB: Thank you. Any voir
6 dire?

7 MR. GARRETT: No questions, Madam Chairman.

8 CHAIRPERSON DAUB: Mr. Stewart?

9 MR. STEWART: No questions.

10 MR. HESTER: No questions.

11 MR. MIDLEN: No questions.

12 CHAIRPERSON DAUB: Thank you. Please
13 proceed.

14 BY MR. LANE:

15 Q What is the purpose of your testimony, Mr.
16 Thrall?

17 A Well, I'm here because syndication and
18 first-run syndicated programming is a very unique and
19 significant part of the broadcast and the cable
20 marketplace, and I believe that the role of
21 syndication was disparaged in the 1989 hearings. The
22 syndication business has grown to a \$3 billion
23 business. In '91, it goes to a \$3.4 billion business,
24 which makes it the equivalent of a major network.

25 Q Would you define "syndication", please?

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1 A Syndication is selling programs on a
2 station-by-station basis. We go into the marketplace
3 in each market, and find a customer in each market,
4 and we sell a program to that customer, as opposed to
5 a network which has affiliates that carry the
6 programming originated by the network.

7 Q What is first-run syndication?

8 A First-run syndication is programming
9 produced specifically for that Syndicated market, as
10 opposed to programs that were produced for use on
11 Network, for which the reruns are then distributed in
12 syndication, or motion pictures that were produced for
13 theatrical use that are then later released for
14 syndication.

15 Q What are the major types of first-run
16 Syndicated programs?

17 A Informational programming, which would
18 include the talk shows that we specialize in; game
19 programs; series such as Star Trek; dramatic programs
20 or situation comedies, and movies.

21 Q What type of first-run syndicated
22 programming does Multimedia offer?

23 A As I said, we do talk programs. We do
24 Donahue, Sally Jessy Raphael -- we did those in 1990.
25 Now we have added Rush Limbaugh and Jerry Springer.

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1 We produce country music and contemporary music
2 programs. We produce Young People's Specials, which
3 are dramas that deal with either lifestyles or social
4 problems especially relevant to teenage children and,
5 most recently -- well, we've acquired a motion picture
6 division that is producing made-for-TV movies, and we
7 have just announced that in the Fall of '94 we are
8 going to offer a 24-hour talk channel service to
9 cable.

10 Q Does first-run syndicated programming offer
11 variety to cable operators?

12 A Yes, it does. This is a very popular type
13 of program, and it is not available to the cable
14 operator from a full-time cable service. So, this
15 fills a niche for the cable operator, and it's very
16 important that he's able to present these very
17 successful and highly viewed programs such as Donahue,
18 Oprah Winfrey, Sally Jessy Raphael, Geraldo.

19 Q And what do talk programs offer to cable
20 operators and subscribers?

21 A Well, again, this is a very popular type of
22 program. These are very timely shows. They deal with
23 topical programs. They produce a high number of
24 first-run programs. Donahue, in 1990, produced 210
25 original episodes -- very few repeats. So, this is

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1 fresh programming, and it is programming that is
2 available on a consistent basis. So, it has a special
3 value to a cable operator to be able to offer that.

4 Q Does Donahue offer "live" programs?

5 A Yes, Donahue is live -- and I spoke of a
6 topical nature -- there's an immediacy to this because
7 it deals with current topical stories. Donahue is
8 done live in New York at 4:00 Eastern Time, and
9 stations that carry Donahue live are able to --
10 viewers of those stations are able to actually phone
11 in questions and participate in the program directly
12 from their home.

13 Q Is the live programming of Donahue in
14 particular, something that would give value to cable
15 operators and subscribers?

16 A Yes. Those stations that pick up Donahue
17 from a live market, which primarily would be an
18 Eastern Time Zone market, have the ability -- their
19 cable viewers have the ability to make phone calls
20 into the stations, which would not be available to our
21 primary customer in that market who might be carrying
22 the program the next morning because, in a western
23 time zone, it would get into their news programs and
24 they could not clear the 4:00 o'clock, which would be
25 5:00 --

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1 Q Other way around.

2 A -- the other way around -- it would be too
3 early to get out on the time block.

4 Q Did you provide in Exhibit A a list of the
5 cable systems to which the live Donahue Show is
6 available?

7 A Yes. This shows that these seven stations,
8 all but one of which are Eastern Time Zone stations,
9 make that live phone call feature available to 627,880
10 households.

11 Q How does the immediacy of talk programs
12 affect the rerun potential of them?

13 A Well, the reason we do 210 first-runs a
14 year -- and I think in all the talk shows it probably
15 would vary from 180 up to maybe 235 -- is because they
16 are topical and they don't bear multiple airings. And
17 even those repeats that are done, are primarily done
18 within that same year of programming. So, it's very
19 important that the compensation for that program be
20 achieved up-front on its initial airing because there
21 is no large back-end market for us.

22 Q Is this limited rerun potential similar to
23 other types of programming?

24 A Similar to other first-run types of
25 programming, yes.

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1 Q Are viewers of talk programs avid fans?

2 A Oh, yes. We have studio audiences whereas
3 some Los Angeles pay to have audiences. We have
4 waiting lists for audiences to come in and be part of
5 our studio audience. Whereas some Los Angeles programs
6 pay to have audiences, we have waiting lists for
7 audiences to come in and be part of our studio
8 audience.

9 We get tons of mail. I think we have on
10 each of the shows about eight people handling the
11 viewer mail, and that's using computers and form
12 letters and all of the other things to handle this.

13 People write to us and make comments. As
14 a matter of fact, on Donahue, several times a year we
15 use those letters as the basis of a program and which
16 we present the letters on-the-air. We get constant
17 telephone calls, voice mail. People send us ideas for
18 programs. Yes, they are very avid viewers.

19 Q And does that benefit cable operators?

20 A Yes, it does. It enables them to attract
21 these viewers. A cable service that didn't have this
22 programming would be somewhat lacking.

23 Q Have you offered evidence of the value of
24 talk programs on a per-market basis?

25 A Yes. We did a study in that regard.

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1 Q And is that your Exhibit B?

2 A Yes.

3 Q Would you just briefly describe what the
4 results of that study are?

5 A Yes. In Exhibit B, we drew a per-hourly
6 rate of what these three programs -- Donahue, Oprah
7 Winfrey and Sally Jessy Raphael -- would be worth in
8 each of the top ten markets, and this shows that
9 Donahue would be worth \$6,547 an hour; Oprah Winfrey,
10 \$16,230 an hour; and Sally Jessy Raphael, \$2,806 an
11 hour.

12 Q And that's on a per-market, per-hour basis?

13 A That's right, and we attempted to put this
14 into context so that it could be compared to some of
15 the other values that have been presented here.

16 Q Did you analyze the reported revenues paid
17 to the producers of talk programs?

18 A Yes.

19 Q And did those revenues grow over time?

20 A Yes. We looked at King World and King
21 World, in -- I have to refresh my memory on the
22 figures here. Yes, King World's revenues in 1985 were
23 \$80.6 million. In 1990, those revenues had grown to
24 \$453.7 million. In Multimedia, in 1984, was
25 approximately \$40 million; in 1990, that had grown to

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1 a little over \$90 million.

2 Q Has the amount of first-run syndicated
3 programming grown over time?

4 A Yes, it has.

5 Q And do you show that growth as a trend in
6 your Exhibit C?

7 A Yes. Look at Exhibit C, you'll see that in
8 1982, Series and on-air advertiser-supported
9 syndication included 61 hours of program. By 1992,
10 that had risen to 214 hours.

11 Q And how does that compare to the amount of
12 programming put on by the Networks and Fox?

13 A Well, the Networks and Fox together would
14 account for 240 hours of programming. So, 214 gets
15 pretty close.

16 Q Did the amount of hours for talk programs
17 increase over time?

18 A Yes.

19 Q And have you prepared Exhibit D to show
20 that?

21 A Yes, and this is on two pages. The first
22 page of Exhibit D is 1990, the second page is 1986.
23 You'll notice that Donahue, Oprah and Sally accounted
24 for 755 hours in 1986, and that that had grown to
25 4,190 in 1990. And as a percentage of the available

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1 hours -- the available hours also grew because there
2 were more stations, from 83,832 to 98,994. The
3 percentage of those available hours that the 755
4 represented was 2.1 percent. Of the percentage of the
5 4,190 hours in 1990 that these five programs represent
6 is 4.2 percent, or double the amount of available time
7 that these programs provided.

8 Q How does the viewing of first-run
9 programming compare to the viewing of Network
10 programming for the period 1987 to 1992?

11 A Well, it has grown.

12 Q Is that shown on your Exhibit E?

13 A Yes. This is comparing the Network and
14 syndication audiences in all dayparts, and you'll see
15 that in the '87-'88 year, syndication was responsible
16 for 25 percent of the gross rating points a week and,
17 in 1991-92, it was responsible for 33 percent of the
18 gross rating points per week. And you can see that in
19 the same comparison for ABC, that dropped; CBS stayed
20 about the same; NBC dropped; and Fox, which was
21 emerging, showed some growth in there.

22 Q Did the advertising revenues associated
23 with syndicated programming grow between 1980 and
24 1990?

25 A Yes.

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1 Q Could you give us some idea of how much?

2 A Well, in the early '80s, the syndication
3 was -- advertiser-supported syndication represented a
4 \$50 million business. By 1990, that was \$1.2 billion,
5 a 24 times increase.

6 Q And does your Exhibit F show a portion of
7 that trend?

8 A Yes, it does. It begins in 1986 and shows
9 \$650 million in advertiser-supported syndication
10 revenue; in 1990, it shows \$1.2 billion that I
11 mentioned, which is nearly double, and projects to
12 \$1.45 billion in 1993.

13 Q Do syndicated programs attract important
14 demographics?

15 A Oh, yes, they do, and a variety of them.
16 Oprah Winfrey, for example, is very strong on women
17 18-49, and syndicated programming in general attracts
18 strong men 18-49 audience. In fact, one-half of the
19 Syndicated programs attract a higher male 18-49
20 viewers per household than Prime Time Network does.
21 And also Syndication attracts a great number of
22 children. In 1991, they will surpass the number of
23 children provided by the three Networks and Fox
24 combined.

25 Q Did you attempt to quantify the marketplace

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1 value of talk programs by determining the revenues for
2 them?

3 A Yes.

4 Q And is that shown in your Exhibit H?

5 A Yes.

6 Q And would you briefly describe the results
7 of that Exhibit H?

8 A Well, this advertising study indicated that
9 the advertising in Donahue to the stations was worth
10 \$173,133,542. For Oprah Winfrey, it was worth
11 \$358,247,545, and Sally Jessy Raphael is worth
12 \$77,499,341.

13 Q How did the total amount for those programs
14 of about \$690 million, compare to all of the cable
15 industry advertising revenues?

16 A Well, all of the advertising revenues by
17 cable systems totaled \$634 million for 1990, compared
18 to the total of the three programs we just mentioned
19 of \$690 million.

20 Q And how did it compare to the cable
21 advertising revenues for regional sports networks?

22 A The \$690 million compared to the sports
23 revenues of \$102 million, or six times greater than
24 the revenues for the regional sports.

25 Q What conclusion should the Tribunal draw

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1 about benefit to cable operators of first-run
2 programming, from your testimony?

3 A Well, this is a unique and very popular
4 form of programming. It has great value. It's fresh
5 programming, with a high percentage of first-runs. It
6 satisfies a niche which is not available to the cable
7 operators from another cable service, from a full-time
8 cable service. It's consistent. It goes on five days
9 a week, 52 weeks a year. So, it's a value to them on
10 a day-in/day-out basis. It's not limited to a handful
11 of highly publicized sporting events such as the
12 Playoff Games which are scattered throughout an entire
13 year.

14 Q What conclusion should the Tribunal draw
15 about harm to the owners of those syndicated programs?

16 A Because these programs are fresh and deal
17 with topical subjects, they have an ephemeral quality
18 similar to sports, but there is no large back-end to
19 the talk programs. They must get the revenues up
20 front. The marketplace is highly competitive. So,
21 the syndicator is greatly harmed if he is
22 undercompensated by the Copyright Tribunal.

23 Q And, finally, what about marketplace value?

24 A Well, this was, as I said, in the early
25 1980s, was a \$50 million advertising business that

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1 grew by 1990 to \$1.2 billion, a 24 times increase. It
2 delivers key demographics that are very valuable. In
3 1991, I believe it passed the three Networks and Fox
4 combined in delivering gross rating points. In talk
5 programs, there's been an increase of -- a 100 percent
6 increase in the percentage of non-Network programs
7 filled by talk programs between '86 and 1990. So,
8 this is an extremely valuable marketplace for us.

9 MR. LANE: Those are all the questions I
10 have on direct.

11 CHAIRPERSON DAUB: Thank you, Mr. Lane?

12 COMMISSIONER GOODMAN: May I ask a couple
13 of questions?

14 CHAIRPERSON DAUB: Sure, go ahead.

15 COMMISSIONER GOODMAN: Mr. Thrall, I think
16 I didn't understand fully. Mr. Lane asked you earlier
17 a question, and I think I misunderstood. I think I
18 misunderstood, but is Multimedia a member of MPAA, or
19 is Multimedia represented before the CRT by MPAA? The
20 answer, I know, is no. It's like Jeopardy. The
21 answer is no, can you give me the question?

22 THE WITNESS: No, in Phase II, we present
23 our own case, so Mr. Lane is cross-examining me on
24 those occasions. So, we choose to represent ourselves
25 before the Copyright Tribunal, and have so, I believe,

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1 in eight of the previous years.

2 MR. LANE: Just to clarify, Commissioner
3 Goodman, in Phase I, we represent all syndicated
4 programs. In fact, Mr. Garrett's clients have some
5 programs that are part of our group for Phase I
6 purposes, and Mr. Stewart. We are also part, for some
7 purposes, of PBS for Phase I purposes. But in Phase
8 II, Multimedia would not be -- so, Multimedia falls
9 within that umbrella for Phase I, but Multimedia is
10 not an MPAA-represented claimant for Phase II
11 purposes.

12 COMMISSIONER GOODMAN: Then the other
13 question -- I guess the best way for me maybe to ask
14 it is -- I'd draw your attention to Exhibit B, Mr.
15 Thrall. I'm not certain I fully understood but, when
16 you referred to top ten markets generating 30 percent
17 of all revenue, did that mean 30 percent of all
18 revenues for Multimedia, for the Donahue Show? Is
19 that what it means?

20 THE WITNESS: Generally, that's true. I'm
21 not surprised that there could be some confusion about
22 this because, you know, it's how to present this in an
23 effective manner --

24 COMMISSIONER GOODMAN: It's shorthand.

25 THE WITNESS: -- is a question we could

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1 have approached in a different way, and we could have
2 said that -- if we had not taken the 50 hours a week
3 and then projected -- we could have said that these
4 ten markets produced 56 million-something, which would
5 have projected to a \$218,227 per hour for the total of
6 the ten markets.

7 COMMISSIONER GOODMAN: Now, is that your
8 revenue, I take it, from sales and, I suppose, cash
9 also? Do you sell these programs -- Donahue and Oprah
10 and Sally Jessy -- I take it they are cash, cash-plus-
11 barter?

12 THE WITNESS: Yes, these are what we would
13 call cash/barter. Now, we don't sell Oprah, that's a
14 King World program, but it's sold the same way. And
15 I'm not sure how familiar the Tribunal is with cash
16 and barter but, in barter -- excuse me if I'm being
17 repetitive or boring anyone -- but in barter, we give
18 the program to the station and we retain half of the
19 advertising. That figure may vary up-and-down from
20 half, depending on the negotiation, but the normal
21 barter arrangement is that we give the program to the
22 station free, we sell half the advertising, the local
23 station sells half.

24 In a cash program, we sell the franchise to
25 a station in each market and they sell all of the

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1 advertising. In a cash/barter situation, the
2 syndicator retains 30 seconds, a minute, minute and a
3 half, maybe two minutes of the total advertising in
4 the show for barter sales, and the station pays a cash
5 fee which is possibly reduced by the fact that the
6 syndicator is selling the 30 seconds to two minutes of
7 national advertising himself.

8 So, these three programs that are in here
9 are cash/barter, and that revenue figure does include
10 both the license fees and the cash/barter fees.

11 COMMISSIONER GOODMAN: That's just your
12 fee, of course, but that excludes local revenues,
13 local station revenues?

14 THE WITNESS: That's right. In the
15 advertising study, we attempted to place a value of
16 what the program was worth, including what the station
17 would sell the advertising for plus what we would sell
18 the barter for but, in this, we're dealing with what
19 the program is worth in the marketplace, using the
20 cash fees and the barter advertising.

21 COMMISSIONER GOODMAN: I also was confused
22 about something I think you have cleared up, and that
23 is, I wasn't certain why the Entertainment Division
24 revenue included only Donahue and Sally Jessy,
25 excluded Oprah. That's because Oprah is a King World

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1 program?

2 THE WITNESS: In the advertising study?

3 COMMISSIONER GOODMAN: In Footnote 1 to
4 Exhibit B, you indicated that the Entertainment
5 Division includes the revenue from Donahue and Sally
6 Jessy. I wasn't certain why it excluded revenues from
7 Oprah.

8 THE WITNESS: We did the same thing on all
9 three of these. The footnote explains how we arrived
10 at these figures. We used the 10-K report and did
11 estimates on here. There's proprietary information
12 that's very difficult to get companies to discuss.
13 So, this was a formula, and this applied to Donahue
14 and Sally. However, if you look at the footnote on
15 page 2, you'll see a similar footnote dealing with
16 Oprah on King World. We used the same process to
17 develop the figure for Oprah.

18 COMMISSIONER GOODMAN: That's what I was
19 curious about, why Oprah wasn't included along with
20 Donahue and Sally Jessy, and that's because King World
21 sells Oprah and you don't.

22 THE WITNESS: That's right. So, we took
23 the 10-K report from Multimedia, Inc. and the 10-K
24 report from King World, and used that to construct
25 these estimates.

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1 COMMISSIONER GOODMAN: Thank you.

2 CHAIRPERSON DAUB: Mr. Garrett, would you
3 like to proceed to your cross-examination?

4 MR. GARRETT: Thank you, Madam Chairman.

5 Mr. Thrall, I'm Bob Garrett, and I
6 represent the Joint Sports Claimants in this
7 proceeding. Good morning.

8 THE WITNESS: Good morning.

9 **CROSS-EXAMINATION**

10 BY MR. GARRETT:

11 Q I want to make certain that I understand
12 the terms that you've used this morning, Mr. Thrall.
13 You spoke a few minutes ago in response to
14 Commissioner Goodman's question, about barter, cash,
15 and cash-plus-barter, do you recall that?

16 A Yes.

17 Q Now, as I understand it, those are
18 different methods of licensing programs to broadcast
19 stations, correct?

20 A Yes.

21 Q In particular, they are methods of
22 licensing syndicated programs to broadcast stations,
23 correct?

24 A Yes.

25 Q Now, in the cash form of licensing, that's

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1 where the syndicator sells the program to a broadcast
2 station or a cash license fee, correct?

3 A Yes.

4 Q And I assume that when they sell that
5 program for a cash license fee, there are various
6 terms and conditions that accompany that particular
7 sale, correct?

8 A Yes, each one is an individual negotiation
9 with the station.

10 Q For example, you would have terms dealing
11 with the number of runs that the syndicated program
12 could air?

13 A Yes.

14 Q And the period of time over which that
15 programming could air?

16 A Yes.

17 Q A second method of licensing syndicated
18 programs is referred to as barter, correct?

19 A Yes.

20 Q And as I understand it, in a pure barter
21 deal, you give the program to the broadcast station
22 for no charge, correct?

23 A Correct.

24 Q And the television station in that case,
25 gives you in return a certain number of minutes of

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1 advertising, correct?

2 A Yes.

3 Q And then, in essence, in a barter sale, you
4 have to sell the program twice, don't you? Once, you
5 have to sell it to the television station, and then
6 you have to go and sell it again to an advertiser,
7 correct?

8 A That's correct.

9 Q And in the cash-plus-barter situation, as
10 I understand it, you will license the program to the
11 broadcast station for a certain fee, plus you also get
12 some advertising time, correct?

13 A Correct.

14 Q And it would be correct to say that the
15 license fee in this third situation is probably less
16 than it would be in a pure cash situation, correct?

17 A That's certainly true in theory. You'd
18 probably find some stations that might disagree, but -

19 -

20 Q Okay. Now, you've also talked this morning
21 about different sources of syndicated programming,
22 correct?

23 A I'm not sure that I understand.

24 Q Okay. You are here, as I understand it,
25 talking principally about first-run syndicated

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1 programming, right?

2 A Yes.

3 Q And, so, one source of the syndicated
4 programming, as I use the term "source", would be
5 first-run syndicated programming, right?

6 A Correct.

7 Q And a second source of syndicated
8 programming would be off-Net programming, right?

9 A Correct.

10 Q Mr. Thrall, I assume a third source would
11 be the -- when we're dealing with syndicated movies,
12 at least -- would be the theatrical releases, correct?

13 A Yes.

14 Q I want to focus this morning just on these
15 two types of syndicated programming, first-runs and
16 off-Networks. Is there any other source other than
17 the ones we've just described?

18 A Well, there are various blends but, if you
19 put movies as a source, whether the movies are
20 produced theatrical, or whether they're produced for
21 cable first-run, or whether they are produced for
22 syndication first-run. There are various ways that
23 movies enter this thing, they are not all theatrical
24 movies but, with that qualification, I think that
25 would pretty well cover -- you've covered everything.

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1 Q But not sports?

2 A Well, I'm assuming that sports is a first-
3 run product.

4 Q I'm asking about syndicated programming.

5 A As syndicated programming? Other than
6 American Gladiators, I think, I think, yes.

7 Q In our talk this morning, Mr. Thrall, I
8 would like to concentrate on first-run and off-Network
9 and if, at any point, you feel that it's important to
10 bring in any other type of programming to fully
11 respond to my questions, please feel free to do so.

12 The circle I just drew here represents all
13 syndicated programs. What portion of them do you
14 believe are represented by off-Network programs and
15 what portion by first-run programs?

16 A I don't believe I have that figure.

17 Q Can you give us your best estimate and all
18 the criteria?

19 A Of all syndicated programs? No, I don't
20 have a breakout of first-run versus the off-Net.

21 Q Okay. Let's go back again so that we are
22 again clear on our terms. Off-Network programming is
23 programming that originally aired on one of the three
24 major Networks, correct? -- ABC, NBC, or CBS?

25 A Yes.

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1 Q And for illustrative purposes, a program
2 like The Andy Griffith Show would have been an off-
3 Network program, correct?

4 A Yes.

5 Q Or Bewitched would be an off-Network
6 program?

7 A Yes.

8 Q Or Gilligan's Island might be an off-
9 Network program?

10 A Yes.

11 Q Or Cheers would be an off-Network program?

12 A Yes.

13 Q And these are all programs that were
14 originally produced for and aired over one of the
15 Networks, correct?

16 A Right.

17 Q And the first-run programs, on the other
18 hand, are programs that are produced specifically for
19 syndication, correct?

20 A Correct.

21 Q And when you produce the Donahue Show, you
22 don't sell it to any of the major Networks, do you?

23 A No.

24 Q You go out and sell it individually to
25 television stations all across the country, correct?

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1 A Yes, station-by-station.

2 Q Okay. I guess you can't help me with my
3 circle then.

4 A Sorry.

5 Q It would be correct to say, however, that
6 the -- well, you've given us some testimony this
7 morning about a couple of shows in particular.
8 Geraldo, correct?

9 A Yes.

10 Q And the Oprah Winfrey Show, correct?

11 A Yes.

12 Q And Donahue, correct?

13 A Yes.

14 Q And Sally Jessy Raphael?

15 A Yes.

16 Q And those shows are sort of a subset of the
17 first-run programs, correct?

18 A Correct.

19 Q And they are all talk shows, correct?

20 A Yes.

21 Q And they are actually a sort of subset of
22 the talk shows first-run, correct?

23 A Well, in 1990, those would have been the
24 major talk programs. That list is growing very
25 rapidly as we have moved into 1993. I think there are

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1 25 on that list today.

2 Q But the four shows we just identified a
3 minute ago were the four major first-run talk shows in
4 syndication in 1990, correct?

5 A Yes.

6 Q Now, your are familiar with the
7 MPAA/Nielsen Viewing Study, are you not?

8 A I've dealt with it in the past, but I'm not
9 familiar with a particular study related to 1990, but
10 I'm generally familiar with the Nielsen study.

11 Q If I look at one of the exhibits attached
12 to -- you know who Allen Cooper is, do you not?

13 A Yes.

14 Q If I looked at one of the exhibits attached
15 to Allen Cooper's testimony, I see that the Donahue
16 Show had something like 4.1 million Household Viewing
17 Hours, are you aware of that?

18 A I'm not familiar with the specific study
19 that you're referring to.

20 Q Okay.

21 A Was that a 1990 study?

22 Q Yes.

23 A I have not seen the 1990 study.

24 Q Well, take this subject to check, Mr.
25 Thrall. The Donahue Show shows up in the MPAA's 1990

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1 study -- and this is reflected in Exhibit ARC-5 -- a
2 having something like 4.1 million Household Viewing
3 Hours, and let me further represent to you that, as
4 one can determine from another exhibit supplied by
5 MPAA in this proceeding, MEK-8, the total number of
6 Household Viewing Hours for all programming measured
7 in that study, was approximately 2.1 billion Household
8 Viewing Hours. And if you do the math, Donahue
9 reflects approximately .2 percent of the total viewing
10 in that study.

11 Now, you have looked at the MPAA viewing
12 study in past years, have you not?

13 A Yes.

14 Q Does that .2 percent number sound about
15 right to you as the total number of distant Household
16 Viewing Hours for Donahue in 1990?

17 A Well, again, I haven't seen the 1990 study,
18 so I can't comment about it specifically. It strikes
19 me as possibly being a little low, but without
20 studying the report, it's very difficult to comment on
21 it.

22 Q Okay, fair enough. If I do the same kind
23 of math, relying on the same exhibits, for Oprah I get
24 approximately .24 percent viewing. Does that sound
25 about right to you?

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1 A I really don't have any comparison on
2 Oprah.

3 Q Let me just tell you, subject to check,
4 that Sally comes out to about .28 percent, and Geraldo
5 to about -- Sally is actually about .15 percent of
6 viewing to all the programming, and Geraldo is about
7 1.2 percent.

8 Now, with that information, Mr. Thrall, can
9 you give me your best professional estimate here of
10 the percentage of syndicated programming represented
11 by the four major talk shows about which you are
12 testifying this morning?

13 A Again, I'm not trying to be evasive, I'm
14 just not quite sure what you're asking me to do.
15 You're saying of all syndication, what percentage of
16 all syndication are those four talk shows?

17 Q Yes, and you can use it under whatever
18 criteria you might feel more comfortable with, whether
19 it's total hours, or advertising revenues, or revenues
20 garnered by the syndicators. I'm just trying to get
21 some feel here for what these four shows that you have
22 represent in terms of all syndicated programs.

23 CHAIRPERSON DAUB: Excuse me, Mr. Garrett,
24 would you flip the chart back?

25 MR. GARRETT: Certainly, Madam Chairman.

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1 And, also -- so that we're not doing apples and
2 oranges -- these percentages here that I've given you
3 earlier, Mr. Thrall, are percentages of all
4 programming. If you want to look at percentages of
5 just syndicated programming, you'd have to double
6 these numbers.

7 THE WITNESS: Aren't these percentages of
8 distant viewing?

9 BY MR. GARRETT:

10 Q Distant viewing.

11 A So, we're looking at figures on distant
12 viewing and then somehow relating that to a percentage
13 of the marketplace generally?

14 Q Yes, sir.

15 A I really have no way to relate those two
16 together.

17 Q Yes. Well, we've had the same problem here
18 on this side of the table, with the MPAA. But I
19 wonder if you could give me your best estimate --

20 COMMISSIONER GOODMAN: Excuse me, Mr.
21 Garrett -- is Geraldo 1.2 percent, or .12?

22 MR. GARRETT: 1.2 percent of all viewing in
23 the study, and it would be about 2.4 percent of
24 syndicated programming, since syndicated programming
25 accounts for about 50 percent of viewing.

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1 COMMISSIONER GOODMAN: Geraldo is 1.2
2 percent whereas Sally is only .15 percent?

3 MR. GARRETT: Yes, sir.

4 COMMISSIONER GOODMAN: Eight times the
5 number of Sally?

6 MR. GARRETT: That's what their data
7 showed.

8 COMMISSIONER GOODMAN: Did Geraldo give you
9 that data?

10 MR. GARRETT: I don't sleep with Geraldo.
11 (Laughter.)

12 MR. LANE: This is one of the problems I
13 have with counsel testifying, and I guess I will ask
14 Mr. Garrett to supply a witness during rebuttal
15 because it's clear that the Tribunal has questions
16 about these numbers?

17 MR. GARRETT: Well, Commissioner Goodman,
18 I would hope that counsel and I could stipulate as to
19 the correct numbers here and, if I'm in error, since
20 they all come from his study here, we could provide
21 the Tribunal with corrected numbers.

22 MR. LANE: That isn't the point. Whether
23 the numbers are correct or not, there's questions how
24 they were developed, and I'm not going to stipulate to
25 how Mr. Garrett developed those numbers or what they

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1 mean.

2 COMMISSIONER GOODMAN: Well, is Mr. Garrett
3 introducing this into evidence?

4 MR. LANE: It certainly looks like it to
5 me, Commissioner Goodman, because it's certainly on
6 the record right now.

7 COMMISSIONER GOODMAN: Mr. Garrett, what
8 are we to do with your numbers? Are they to be taken
9 as evidence? Are they the purpose of impeaching the
10 witness?

11 MR. GARRETT: Well, as you recall, I
12 started this line of cross-examination trying to get
13 some notion of what the programming that Mr. Thrall's
14 talking about represents of the total pie here. And
15 he said he couldn't give me an answer.

16 MR. LANE: Excuse me, Mr. Garrett, that was
17 not your question. Your question was, what does it
18 represent of all syndicated programs. Now you are
19 saying the "total pie". I don't know what the "total
20 pie" means, but the second thing talks about distant
21 signal viewing, and there could be two entirely
22 different ways, and the confusion to the witness could
23 clearly be that you have given him two things that are
24 totally different to discuss: What percentage of
25 syndicated programming is represented by these four

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1 programs -- that could be in all different kinds of
2 marketplaces. And then the second thing is about
3 distant signal viewing. So, I don't think the two
4 questions relate -- at least they haven't thus far.

5 MR. GARRETT: Commissioner Goodman, these
6 numbers here can all be derived from documents which
7 are in evidence right now. In Proposed Findings, any
8 one of us here in this room can go in and take a look
9 at Allen Cooper's exhibits which show a number for
10 Geraldo, or Sally Jessy Raphael, or any other program,
11 and then compare it to the total.

12 I have not introduced any new facts. These
13 are facts that are in the record as Mr. Lane's
14 witnesses. What I am simply trying to get at here is
15 some understanding of four programs that Mr. Thrall
16 has done his studies for, what percentage they
17 represent of all syndicated programs, and these data
18 here simply provide some frame of reference.

19 THE WITNESS: In Exhibit H, we attempted to
20 provide a reference in the advertising study, for
21 Donahue, percentage of 1990 spot sales for non-
22 Network, non-Local, was 1.27 percent. Oprah's 1990
23 spot sales non-Network, non-Local, was 2.62 percent;
24 that Sally's was .57 percent, and that Geraldo's was
25 .59 percent. Now, that's not the exact question

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1 you're asking, but those are percentages of
2 advertising revenue value for those programs as
3 related to the total non-Network, non-Local
4 advertising. I don't have the other figure. We could
5 probably obtain the other figure.

6 BY MR. GARRETT:

7 Q That's helpful. Tell me again, for
8 Donahue, what was the number?

9 A Donahue was 1.27.

10 Q Okay. And Oprah?

11 A Was 2.62.

12 Q And Sally Jessy?

13 A Was .57.

14 Q And for Geraldo?

15 A .59. But that doesn't relate to how much
16 of the pie is Syndicated and how much of it was First-
17 run Syndicated.

18 Q So, those four programs would account for,
19 in an advertising study, approximately 5 percent of
20 the total advertising revenues expended on all non-
21 Network programming?

22 A Non-Local, non-Network spot sales, yes.

23 Q When you say non-Local, does that include
24 Sports, or exclude Sports?

25 A It would exclude Local Sports.

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1 Q I mean, if WMAR produces a Baltimore
2 Orioles game and sells advertising on that, are those
3 advertising revenues included in your study, do you
4 know?

5 A If that were a Local Sportscast, not a
6 Network sportscast or a regional sportscast, yes, I
7 think they would be included.

8 Q I'm sorry?

9 A To the best of my knowledge, yes, that
10 would be included, if that is a Local broadcast.

11 Q But I thought it excluded -- you said that
12 it excludes Local programming.

13 A That's what I mean. The exclusion would
14 include that sporting event. It would not exclude it
15 if it were local.

16 Q Well, do you know how your study defines
17 "Local"? Are the advertising revenues attributable to
18 the Baltimore Orioles' games on WMAR included in your
19 study or not?

20 A I don't know. I'm not familiar with the
21 Baltimore games on WMAR. Sorry.

22 Q What about the revenues for the Chicago
23 Cubs on WGN, would those be included or excluded in
24 your study?

25 A I'd have to look into that, I'm not sure.

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1 It may be that GN is a Network, but I'm not sure of
2 that. I'd have to specifically go back and --

3 Q Well, what is your source of information on
4 the total revenues, advertising revenues?

5 A This is from the Television Bureau of
6 Advertising Estimates for 1990 for Spot Sales Non-
7 Network, Non-Local.

8 Q You're not certain how the Television
9 Bureau of Advertising calculates those revenues?

10 A As far as regional sports, Networks, no.

11 Q Well, I wasn't talking about regional. Do
12 you know the difference on a regional sports network
13 and a game on WGN?

14 A A baseball game that is only on WGN?

15 Q Yes.

16 A That would be Local, so it would not be
17 included.

18 MR. LANE: Madam Chairman, I wonder if we
19 could take just a two-minute break. There is some
20 confusion about what these numbers represent, and we'd
21 just like to clarify it. It will just take a minute.

22 CHAIRPERSON DAUB: Very well.

23 (Whereupon, a short recess was taken.)

24 CHAIRPERSON DAUB: Back on the record. Mr.
25 Garrett, would you continue your cross?

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1 BY MR. GARRETT:

2 Q Mr. Thrall, do you want to explain for the
3 record what you were going to explain before?

4 A Yes, I'd like to explain something to the
5 Tribunal and apologize for an error that was made
6 here. We presented this advertising study in each of
7 our Phase II cases.

8 MR. LANE: And that's Exhibit H.

9 THE WITNESS: And this is Exhibit H. In
10 Phase II, we eliminate the Local advertising. In
11 Phase I, we did not. So, on page 2 of Exhibit H,
12 where it says Spot Sales Non-Network, Non-Local should
13 be crossed out. The same is true on page 3 at the
14 bottom where it says Oprah's percentage of 1990 sales
15 non-Network and non-Local should be crossed out, and
16 on page 4, for Sally Jessy Raphael, again, non-
17 Network, non-Local should be crossed out. And on the
18 fifth page, under Geraldo, again, the bottom line,
19 non-Local should be crossed out.

20 CHAIRPERSON DAUB: Does that change the
21 percentages?

22 THE WITNESS: It doesn't change the
23 percentages, it just clarifies that the sales for WGN
24 and for the Baltimore station would be included, and
25 I apologize for that. It's been there every time this

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1 report has been typed, and it got typed, and it looked
2 so normal that we didn't catch it until now. But in
3 answer to counsel's question, yes, GN Cubs games and
4 the Baltimore games would have been included in that
5 revenue.

6 COMMISSIONER GOODMAN: Mr. Thrall, when you
7 say cross off non-Local, that doesn't mean -- you mean
8 the Local originating station's revenues are included,
9 but the other Local stations' revenues are not
10 included?

11 THE WITNESS: That means that non-Network
12 spot sales are included.

13 COMMISSIONER GOODMAN: Oh, okay. So, in
14 this example of Geraldo on Exhibit H, page 5, that
15 would include all these markets -- Little Rock,
16 Beaumont, Port Arthur, and Lubbock -- all those sales
17 from these selected markets are included in the bottom
18 line figure?

19 THE WITNESS: Yes. The way we arrived at
20 that was to take national figures and apply these
21 percentages, and project it to a national sample,
22 project it from the sample to the national figures,
23 but it does include all non-Network spot sales.

24 MR. LANE: Commissioner Goodman, just to
25 further clarify, in Footnote 2 which appears on page

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1 2 of the exhibit, the national figures for both
2 national spot sales and Local sales are shown in that
3 footnote.

4 COMMISSIONER GOODMAN: Thank you.

5 BY MR. GARRETT:

6 Q Mr. Thrall, all of the data that you've
7 just described here are taken from estimates provided
8 you by the Television Bureau of Advertising, is that
9 correct?

10 A That was the basis of this. We used some
11 actual average spot prices for these programs, but
12 then projected that with figures from the Television
13 Bureau of Advertising.

14 Q I'm sorry, I was unclear. The numbers that
15 you got to get the nominator in your formula here, are
16 all taken from estimates provided to you by the
17 Television Bureau of Advertising, is that correct?

18 A Yes.

19 Q And the Television Bureau of Advertising
20 provides you with what you call the "total" 1990 spot
21 sales for non-Network programming, correct?

22 A Yes.

23 Q Now, has the Television Bureau of
24 Advertising provided you with some type of explanation
25 that indicates exactly how they derived these data,

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1 what's included in it?

2 A The methodology of how they arrived at
3 these figures?

4 Q Yes, and also what's included within the
5 figures.

6 A Well, I think the figures sort of speak for
7 themselves. They are non-Network spot sales.

8 Q Well, you're relying upon data that you've
9 obtained from another source here, correct?

10 A That's correct.

11 Q And I would like to get from that source
12 exactly how they go about calculating these numbers
13 and what's included in that, do you understand that?

14 A Yes. I don't know the answer to that,
15 though.

16 Q You don't know whether or not such an
17 explanation would exist?

18 A No, we have not gone into the methodology
19 of TVB and how they arrive at these figures, no.

20 Q Okay. Now, Mr. Thrall, you had indicated
21 earlier that you had been before the Tribunal on a
22 number of prior occasions, correct?

23 A Yes.

24 Q And these have all been in Phase II
25 disputes that you've had with the Motion Picture

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1 Association, is that correct?

2 A Yes.

3 Q And the first such time that you testified
4 was in connection with the 1979 Cable Royalty
5 Distribution Proceeding, correct?

6 A That's correct.

7 Q During that 1979 proceeding, you testified
8 before the Tribunal about the value of the Donahue
9 Show, did you not?

10 A Yes.

11 Q And, in fact, in each of the subsequent
12 proceedings since then, you've also testified in Phase
13 II about the value of the Donahue program, correct?

14 A Yes, that's correct.

15 Q Let me just ask you -- I'm going to hand
16 you a copy of the Tribunal's decision in the 1979
17 proceeding, and ask you to read into the record this
18 portion of it, and then I have underscored on page
19 9895, appearing in Volume 45 of the Federal Register

20 A The part you've underlined here says,
21 "Turning to the Multimedia case, we have reduced the
22 marketplace value placed on Multimedia, on the Donahue
23 program. Our review of the record establishes, in the
24 words of NAB, that it is clearly an important
25 Syndicated program to television stations, and that

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1 its value is enhanced because it is a first-run daily
2 show with few repeats, but we also agree with NAB that
3 its value to cable systems on a distant signal is
4 substantially reduced, however, by its wide
5 availability on Local television stations".

6 Q Do you recall the Tribunal's conclusion
7 that you just read?

8 A I recall that. There are other references
9 to Multimedia's case in here.

10 Q Let me just ask you about the Tribunal's
11 conclusion -- "that the value to cable systems on a
12 distant signal basis is substantially reduced,
13 however, by its wide availability on Local television
14 stations". Was the Donahue show, in 1990, widely
15 available on Local television stations?

16 A Yes, it was, however, I would point out
17 that that did not say the value was reduced, it said
18 the value was reduced from what Multimedia claimed it
19 was worth. So, it was not a reduction of the value of
20 the program, it was a feeling by the Tribunal in 1979
21 that it was not worth what Multimedia had asked the
22 Tribunal, but the Tribunal did determine that it was
23 worth a great deal more than MPAA felt that we should
24 receive. So, taken out of context, it was not a
25 reduction in the value, it just was reduced from what

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1 we would like to have had.

2 Q And, in fact, you received an award of
3 approximately 1.6 percent to the total MPAA award, is
4 that not correct?

5 A I don't remember the percentages because
6 they have varied year-to-year, but that may well be
7 the percentage.

8 Q And, in fact, in the last proceeding where
9 you testified, the 1986 proceeding, the award that was
10 made to Multimedia at that point was .825 percent, is
11 that not correct?

12 A I believe that's correct.

13 Q Mr. Thrall, are you familiar with a
14 document produced by the Arbitron Company called the
15 Syndicated Program Analysis?

16 A I have seen copies of the Syndicated
17 Program Analysis, I'm not sure if I've seen that
18 particular analysis.

19 MR. GARRETT: At this point, let me have
20 marked a document as Sports Exhibit 7-X.

21 (Whereupon, the document
22 was marked for
23 identification as Exh.
24 No. NAB 7-X)

25 BY MR. GARRETT:

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1 Q Have you ever seen the Arbitron Syndicated
2 Analysis for the Donahue show, Mr. Thrall?

3 A No, I have not seen this one. We use the
4 ROSP, which is a Nielsen document, more frequently.
5 So, I have not seen this.

6 Q What is the ROSP?

7 A It's the Ratings of Syndicated Programs
8 produced by Nielsen during the four sweep periods
9 during the year.

10 Q And is it your understanding that the
11 Syndicated Program Analysis, the Arbitron document, is
12 intended to be comparable to the Nielsen ROSP?

13 A I think it's intended that. I can't give
14 you an opinion as to whether it succeeds or not.

15 Q My understanding of the Syndicated Program
16 Analysis is that it, among other things, identifies
17 each of the television stations that during a
18 particular sweep period broadcast particular
19 Syndicated programs, is that your understanding?

20 A That's right.

21 Q And if I look at the document which I have
22 given you, which is taken from the May 1990 Arbitron
23 Syndicated Program Analysis, do you see up in the top,
24 left-hand corner there, the number 189 markets
25 telecasting?

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1 A In the upper, left-hand corner?

2 Q Of the first page, yes.

3 A Yes.

4 Q Do you know what that refers to?

5 A Well, normally this would be the number of
6 stations that are carrying the Donahue program. I'm
7 not sure now. It says Markets and Stations, it says
8 183 Stations in 89 Markets, and I'm not familiar
9 enough with this report to know what the difference
10 is.

11 Q All right. Well, let me just ask you
12 directly, in 1990, how many different television
13 stations broadcast the Donahue Show?

14 A I would say approximately 200. It may be
15 197, 198.

16 Q And in how many markets was the show
17 Donahue available on Local television?

18 A It would be -- we normally track this in
19 the percentage of the U.S., and it would have been a
20 figure 97, 98 percent of the United States.

21 Q And, in fact, if I take a look at your
22 Exhibit D in your testimony, you indicate there, do
23 you not, that there were approximately 198 stations
24 that were broadcasting Donahue in 1990, correct?

25 A A hundred and ninety-eight, yes.

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1 Q And if I look at your Exhibit H, on the
2 very first page, if I understand that correctly, you
3 are saying that Donahue was available to 98 percent of
4 the United States over those 198 television stations,
5 is that correct?

6 A That's correct.

7 Q Now, Mr. Thrall, are you familiar with the
8 FCC's Syndicated Exclusivity Rules?

9 A To a degree, yes. I'm probably not the
10 world's greatest expert on it.

11 Q What is your understanding of the FCC's
12 Syndicated Exclusivity Rules?

13 A The current rule, that the syndicator may
14 bargain with a station to either grant or not grant
15 syndication exclusivity rights. If the syndicator
16 grants the rights to the market, the market has the
17 right to request cable systems to black out distant
18 imports of the same program.

19 Q Does Multimedia give syndicated exclusivity
20 rights on Donahue?

21 A It's a market-by-market situation. In some
22 cases we do, in some cases we don't.

23 Q Did you, in 1990, give it in any markets?

24 A We gave it in some.

25 Q Do you know how many markets you gave

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1 syndicated exclusivity?

2 A I don't have a breakout on it, no.

3 Q Let me just see if I can -- oh,
4 incidentally, the FCC had a form of syndicated
5 exclusivity rules that were in effect in the late '70s
6 and up until 1981, is that correct?

7 A That's correct.

8 Q Am I also correct in understanding that
9 under the former FCC Syndicated Exclusivity Rules, a
10 live program such as Donahue would not have been
11 entitled to any type of syndicated exclusivity, is
12 that correct?

13 A That was a decision that was reached in a
14 specific situation where WGN was being picked up live
15 by a Milwaukee cable system, and the station requested
16 syndication exclusivity. And the way the rule was
17 stated, it did not apply to live programs, and even
18 though Donahue was a syndicated program in Milwaukee,
19 because it was -- at the time that that station was
20 doing it, it was live -- it was ruled that the
21 syndication exclusivity did not apply. To my
22 knowledge, that's the only time that that issue ever
23 came up, and it was the only time it was applicable
24 under the syndication exclusivity. You are correct
25 that that one time that did happen.

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1 Q And that was the subject of a written
2 decision by the FCC, was it not?

3 A Yes.

4 Q And it's also the case that under the new
5 syndicated exclusivity rules, that the live syndicated
6 programming would be entitled to full Syndex
7 protection, correct?

8 A I believe so but, as I say, I'm not the
9 world's greatest expert on the current Syndex.

10 Q Did you testify at one point in the CRT
11 proceedings that Multimedia had actually taken Donahue
12 off of WGN because you could not get syndicated
13 exclusivity protection for that show?

14 A Well, we were producing Donahue at that
15 time at WGN. We moved the program from Dayton, Ohio,
16 where it had originated, to WGN in 1974, and produced
17 it there through 1981. WGN, at that time, became an
18 unwilling superstation, and the Donahue Show was being
19 imported. At that time, Donahue was being distributed
20 primarily on videotape because satellite distribution
21 had not become as commonplace as it is today. So,
22 programs were bicycled on a four-week bike -- bicycle
23 meaning that we send it to station A who plays the
24 program, and then they send it on, and a week later
25 station B plays the program, and then a week later

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1 station C plays the program, and a week later station
2 D. So, Donahue, by being on the satellite with WGN,
3 was being imported by cable systems and, in some
4 cases, four weeks before our customer got the show,
5 and our customers were very unhappy, but there was no
6 way we could, at that time, get -- stop the carriage
7 of Donahue, so we moved the show in 1982, to WBBM in
8 Chicago. So, that's a long yes.

9 Q It's better than a long no.

10 The problem that you've just described can
11 now be dealt with, as of 1990, through implication of
12 the syndicated exclusivity rules, correct?

13 A A lot depends on the program, and there are
14 a lot of factors that make this not a black-and-white
15 situation. If you are launching a new program in
16 syndication and you cannot clear the affiliated
17 stations, and so you end up, for example, in New York
18 going to a WOR, which is a superstation. If you --
19 because it's a new program and it's being launched,
20 you need to have the audiences that that station
21 delivers, if you give syndication exclusivity, they
22 will delete your program from the satellite
23 transmission, and so you lose a big portion of the
24 audience that you would otherwise have received from
25 WOR. And, so, if that's a part of the distribution of

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1 your show, you're really in a position that you can't
2 grant syndication exclusivity. An established program
3 like Donahue that is practically all on, it it's not
4 all on, affiliated stations, then it's a market-by-
5 market negotiation. But there are some other factors.
6 If you need to be on independent stations, sometimes
7 you don't have -- you may have the right legally to
8 negotiate syndication exclusivity, but as a business
9 decision you can't do it.

10 COMMISSIONER GOODMAN: The blacking out
11 then occurs at the originating station's head-end, not
12 at the cable operator's head-end?

13 THE WITNESS: Blackout happens at -- what
14 you give to the station is the right to demand from
15 the cable operator that when that distant signal comes
16 in of the duplicated program, that the cable operator
17 blacks it out. It used to be that if it were a
18 simulcast, they would punch in your signal into the
19 same channel, and the only thing that accomplished was
20 that the local advertisers got carried in the cable
21 system in their community.

22 Some cable systems now will just put up a
23 slide that says "Due to an FCC regulation, we can't
24 serve you as well as we'd like to and we aren't
25 permitted to carry this program". But superstations,

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1 at least WOR, to my knowledge -- and I believe this
2 may be true of others -- will actually broadcast one
3 set of programs on their air, off of their
4 transmitter, and programs that are granted the
5 syndication exclusivity get deleted from what goes up
6 on the satellite. So, the blacking out is done by the
7 cable system at the request of the station. And there
8 are stations that may have the syndication exclusivity
9 rights and may not exercise them. So, it's a very
10 difficult thing to please, from a syndicator's
11 standpoint, to know even where we've granted it if
12 it's being applied.

13 COMMISSIONER GOODMAN: So, if I understand
14 what you're saying, in the example of Donahue, if that
15 were on WOR, on the one hand -- let's say, in the
16 early days of Donahue when you're anxious to get as
17 much carriage and coverage as possible -- on the one
18 hand, the advantage to WOR is because it's a
19 superstation, there are a lot of markets that would
20 receive it and, as you are ramping up and clearing
21 station-by-station, you appreciate that because that
22 gets you into some of the markets you haven't gotten
23 to.

24 On the other hand, your concern is that if
25 you evoke the syndicated exclusivity right, then WOR

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1 takes you off its uplink and you lose out on all those
2 other -- you lose out on every station except the ones
3 that you've syndicated into specifically?

4 THE WITNESS: Except for WOR's transmitter
5 unit.

6 COMMISSIONER GOODMAN: Locally, you're
7 still in New York City.

8 THE WITNESS: Locally we're okay, but our
9 barter advertising, for example, can't take advantage
10 of the audience that's being delivered by the distant
11 imports of WOR, if we get bumped off the satellite.

12 COMMISSIONER GOODMAN: Thank you.

13 BY MR. GARRETT:

14 Q Let me just explore that a little further,
15 Mr. Thrall, and ask you to turn to your Exhibit A.
16 Actually, before you do, let me ask you to turn to
17 page 6 of your testimony. Do you have that before
18 you?

19 A Yes, I do.

20 Q Direct your attention to the first full
21 paragraph there, the last sentence, do you see that?

22 A The reference to ASTA?

23 Q The first full paragraph.

24 A Oh, okay.

25 Q See there where it says "Exhibit A

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1 demonstrates" --

2 A The 627,880 cable households?

3 Q Yes. You say "saw Donahue live on cable",
4 do you see that?

5 A Yes.

6 Q Now let me ask you to turn to Exhibit A
7 here. Now, you're not saying here -- look at the
8 column that says Distant Viewers, and you've got this
9 number 627,000, do you see that?

10 A Yes.

11 Q You're not saying here that there were
12 627,000 cable households who actually viewed Donahue
13 on all these systems, are you?

14 A No, I'm saying these are the households
15 that had that right available to them.

16 Q So, we don't know exactly how many people
17 in the 627,000 households viewed the Donahue Show, is
18 that right?

19 A That's right.

20 Q Fundamentally, you show here on Exhibit A
21 that Donahue was available on WIBW in Topeka, Kansas,
22 do you see that?

23 A Yes.

24 Q If I also take a look at Sports Exhibit 7-
25 X, you'll see that Donahue had also been licensed to

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1 a station in Kansas City, correct?

2 A I haven't seen that, I'm sorry. Oh, that's
3 what you've given me here?

4 Q Yes, sir.

5 A Can you tell me what page I should look on?

6 Q Look down in the bottom, left-hand corner,
7 you have page numbers, and take a look at page 1073.

8 A All right.

9 Q And you'll see under the market Kansas
10 City, my understanding is that this is showing KNBC in
11 Kansas City broadcasting the Donahue Show Monday
12 through Friday at 3:00 p.m. Is that your
13 understanding?

14 A That is correct, yes.

15 Q And it is your recollection that you
16 licensed some station in Kansas City the right to show
17 the Donahue Show, correct?

18 A Yes.

19 Q And your exhibit here shows that you also
20 licensed the Topeka station the right to show the
21 Donahue Show, correct?

22 A Correct.

23 Q My map-drawing is not always very good, but
24 I understand that Topeka is some miles west of Kansas
25 City, correct?

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1 A I can't give you much on the geography of
2 Kansas, I'm sorry.

3 Q You're an easterner, I take it. Those of
4 us who come from Chicago refer to this as sort of a
5 big suburb of Chicago, all of Kansas -- and someplace
6 you might have a cable system on the outskirts of the
7 Kansas City market, who is bringing in the WIBW
8 signal. Just assume that for a moment, for this
9 illustration, okay?

10 A All right.

11 Q Now, as I understand the syndicated
12 exclusivity rules, the television station here in
13 Kansas City can tell that cable system to black out
14 the WIBW telecast of Donahue, under the syndicated
15 exclusivity rules.

16 A Is that curve that you've drawn the 35-mile
17 line from the center of Kansas City, and this cable
18 system is located within 35 miles of the center of the
19 city, as designated by the FCC?

20 Q Yes, according to their reference point.

21 A Yes, I believe they could, unless they
22 could establish that they were significantly viewed
23 off-the-air.

24 Q Okay. But just for purposes of this
25 illustration, what we're saying here is that if you

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1 license the rights, the syndicated exclusivity rights,
2 to the Kansas City broadcaster, they can prevent cable
3 systems from bringing in that program within the Local
4 market as defined by the FCC, correct?

5 A Yes.

6 Q And they could do that in 1990, correct?

7 A Yes, I believe that was the year the Syndex
8 was re-established.

9 Q But they couldn't do that in 1989, could
10 they?

11 A That's correct.

12 Q In 1989, this cable system located in the
13 Kansas City market would be able to import the WIBW
14 telecast of Donahue, without regard to whatever
15 exclusivity rights you granted, correct?

16 A Well, there was an Arbitron list -- and I
17 forget the exact year, whether it was '68 or '72 --
18 that identified certain cable systems that could carry
19 different markets, and those were sort of
20 grandfathered in. So, not knowing the specific of
21 whether or not you made that list or not, generally
22 what you've said would be true, but there could be
23 exceptions because, if -- had there been a cable
24 system importing in Kansas City before a Topeka
25 station went on-the-air, they might have been able to

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1 continue to do that.

2 Q Well, I don't want to confuse it by using
3 Topeka and Kansas City. We can call it market A and
4 we can call it market B, but the question that I have
5 is simply that in 1989, prior to the syndicated
6 exclusivity rules, this television station in market
7 A had no ability to black out or to require to black
8 out a program that had been licensed exclusively to
9 it, correct?

10 A Yes.

11 Q And it gained that right in 1990, correct?

12 A If they negotiated it with the syndicator,
13 yes.

14 Q And that was something that then was in the
15 control of the station and the syndicator, as to
16 whether or not to grant those exclusivity rights,
17 correct?

18 A Yes, it was a bargaining point in the
19 relationship between the syndicator and the station.

20 Q And presumably, if the broadcaster wanted
21 those exclusivity rights, they would, in turn, provide
22 something to the syndicator in order to get it, right?

23 A It's a highly competitive business, and the
24 job of the syndicated salesman is to clear the market
25 and, if clearing the market requires syndication

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1 exclusivity, as long as there is not a compelling
2 reason such as a beginning show that is on
3 superstations, it will probably be given away and at
4 no compensation to the syndicator because you're up
5 against other syndicators trying to sell programs for
6 the same time periods.

7 So, it's not a revenue -- syndication
8 exclusivity is not a revenue-producing right for a
9 syndicator. It is more of a negotiation.

10 Q In 1989, if a broadcaster goes to a
11 syndicator and says, "You know, I want to be protected
12 against importation of this program that I just
13 licensed exclusively from you", there is nothing the
14 syndicator can do about it, right?

15 A In 1989, that's correct.

16 Q In 1990, they could negotiate over the
17 terms of syndicated exclusivity, correct?

18 A Yes. They can try to get it; they may get
19 it, they may not get it.

20 Q Let me ask you also about the other
21 particular programs that you provide some data for.
22 Oprah Winfrey. Would it be fair to say that Oprah
23 Winfrey was also widely available to television
24 stations across the country in 1990?

25 A Yes.

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1 Q In fact, when I look at your Exhibit H
2 there, you use a number of approximately 99 percent of
3 the country could receive Oprah Winfrey on Local
4 television stations in 1990, correct?

5 A Yes.

6 Q And the comparable number for Sally Jessy
7 Raphael was 89 percent of the country, is that
8 correct?

9 A Yes.

10 Q And the number for Geraldo was 93 percent,
11 correct?

12 A Correct.

13 Q Now, incidentally, with respect to Sally
14 Jessy Raphael, that's one of Multimedia's shows,
15 correct?

16 A Yes.

17 Q And did you license syndicated exclusivity
18 rights in connection with Sally Jessy Raphael in 1990?

19 A I don't have a breakout of -- in some
20 markets, yes. I can't tell you on a market-by-market
21 basis which ones we did and which ones we didn't, but
22 we did provide it in some cases.

23 Q Incidentally, the other two programs that
24 you mention -- well, actually, not the other two --
25 Geraldo, that's distributed by Tribute Entertainment,

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1 is it not?

2 A Correct.

3 Q And Tribute Entertainment is commonly owned
4 with WGN, correct?

5 A That's correct.

6 Q And that's the superstation in Chicago,
7 correct?

8 A Correct.

9 Q And, in fact, Tribute Entertainment does
10 not license exclusive rights to Geraldo, does it?

11 A I'm not familiar with their syndication
12 exclusivity policy.

13 Q I don't want to confine this either, to
14 just the live talk shows. The analysis we've been
15 talking about with respect to syndicated exclusivity,
16 applies to other types of syndicated programming, does
17 it not?

18 A Yes.

19 Q Something like the Cheers, for example.
20 The syndicator of Cheers can license exclusive rights
21 to Cheers market-by-market, correct?

22 A They could, yes.

23 Q And in the case of something like Cheers,
24 even if the television station -- the cable system was
25 bringing a different episode of Cheers than what was

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1 being shown on that particular day by the local
2 broadcast station, syndicated exclusivity would still
3 apply, correct?

4 A That's my understanding that that would be
5 true.

6 Q And, in fact, if a local station had the
7 exclusive rights to Cheers, they could prevent the
8 cable system from bringing in any episode of the
9 Cheers package, even if that local station didn't air
10 it during a particular period?

11 A I don't know that that's true.

12 MR. GARRETT: Madam Chairman, I was going
13 to move into another area here. I'm happy to go ahead
14 and start now, or do you want to take --

15 CHAIRPERSON DAUB: How long do you
16 estimate?

17 MR. GARRETT: Oh, I'd say an hour and a
18 half.

19 CHAIRPERSON DAUB: Oh, an hour and a half?

20 MR. GARRETT: Yes.

21 CHAIRPERSON DAUB: I suggest that we take
22 a lunch break.

23 MR. GARRETT: I can talk real fast, but I
24 don't think it would help.

25 CHAIRPERSON DAUB: Okay. Why don't we

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1 conclude the morning session at this time, and we will
2 reconvene at 1:30.

3 (Whereupon, at 11:55 a.m., the luncheon
4 recess was taken.)
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AFTERNOON SESSION

(1:35 p.m.)

CHAIRPERSON DAUB: Back on the record.

Mr. Garrett, would you please continue your cross-examination of Mr. Thrall.

MR. GARRETT: Thank you, Madam Chairman.

COMMISSIONER GOODMAN: Excuse me one moment.

CHAIRPERSON DAUB: Before you proceed, I have comments on the procedural schedule. We do have a motion to reconsider the procedural schedule. Unfortunately, we are not prepared to go beyond the first week of October. We will have, hopefully, your witnesses on Monday, the 4th, the 5th, and the 8th. And in light of the fact that we've denied the PBS request for no oral testimony and we have conducted oral testimony thus far, and having had a few witnesses already, that give us a little better assessment and for you, the parties, as to how many days we would need for the remainder of the witnesses. We invite comments from the parties. By Friday morning, we would like to have those comments.

MR. GARRETT: Comments on --

CHAIRPERSON DAUB: Further input from you.

COMMISSIONER GOODMAN: What we would like

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1 from you, if you would, by first thing Friday, propose
2 to us a procedural schedule for the remainder of the
3 hearings. Then we will have for you our response, I
4 guess, after the first break on Friday. What we are
5 suggesting is that events have changed a little bit
6 since the initial proposals for those schedules. So,
7 instead of our trying to guess dates that are going to
8 be applicable to you, we're asking you to recommend
9 dates that make sense for you. Hopefully, you will
10 all agree. In the more likely possibility that you
11 don't, we'll look over what your proposals are and get
12 back and have an October schedule for you later on
13 Friday.

14 MR. GARRETT: Commissioner, in making that
15 recommendation, how many days of hearings shall we
16 assume the Tribunal will conduct during each week, for
17 the remainder of October?

18 COMMISSIONER GOODMAN: That's a good
19 question, and I guess -- we discussed that briefly,
20 and that still remains open. So, feel free to
21 recommend -- I know in the past it's strictly been
22 four days instead of five days. We look forward to
23 your recommendations and, if you want to make it five
24 days or four days, we'd like to see your
25 recommendations.

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1 MR. GARRETT: But it's clear we will only
2 go three days that first week of October?

3 COMMISSIONER GOODMAN: That first week, not
4 only three days, but those specific three days.

5 CHAIRPERSON DAUB: Thank you. Mr. Garrett,
6 please proceed.

7 **CROSS-EXAMINATION** (Resumed)

8 BY MR. GARRETT:

9 Q Mr. Thrall, let me ask you to turn to your
10 Exhibit B. Do you have that before you?

11 A Yes.

12 Q Exhibit B shows -- you say the dollar value
13 per hour of the Donahue Show?

14 A Yes.

15 Q That's on page 1 you deal with Donahue,
16 correct?

17 A That's correct. On page 1 deals with
18 Donahue, 2 is Oprah, and 3 is Sally.

19 Q Now, as I understand this exhibit, it shows
20 that the dollar value of an hour of Donahue is \$6,547,
21 is that right?

22 A That's an average hour per station for the
23 top ten markets.

24 Q Your analysis here is based solely upon
25 data from the top ten markets, is that correct?

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1 A Well, as the footnote explains, it's based
2 on the 10-K, which attributes 90 percent of the
3 revenue for the Entertainment Division to Donahue and
4 Sally, and then 70 percent of that was attributed to
5 Donahue, 30 percent attributed to Sally, and then 30
6 percent of that, what is used as a figure that would
7 have theoretically been raised in the top ten markets.

8 So, the figure does relate to the top ten
9 markets, but it came about backing in from the 10-K
10 which was a total income figure.

11 Q Is what you're saying here, that a station
12 in the top ten market, on average, would pay \$6,547
13 for an hour of the Donahue Show?

14 A Yes.

15 Q And is it fair to say, Mr. Thrall, that a
16 station in the top ten market would pay more on an
17 hourly basis for Donahue, than stations in markets
18 outside the top ten?

19 A Yes.

20 Q Now, correct me if I'm wrong, but what
21 you're saying here is that the top ten markets
22 generate 30 percent of the revenues for the Donahue
23 Show?

24 A Yes.

25 Q And do I recall correctly from your other

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1 testimony, there are approximately another 180 markets
2 that Donahue aired in 1990?

3 A Correct.

4 Q So, those 180 markets all together would
5 account for the remaining 70 percent of the revenues,
6 correct?

7 A That's correct.

8 Q Now, have you done any analysis to
9 determine if we looked at all of the markets in which
10 Donahue aired in 1990, what the average hourly rate
11 would be?

12 A If we looked at the 56,739,000 figure as
13 revenue generated in 1990 and did not go through the
14 exercise of taking the 30 percent attributed to the
15 top ten markets, and merely divided that by the 260
16 hours of Donahue that would be delivered in the year
17 to the 198 stations, you would get the per-hour rate
18 for national rights, if yo wanted to compare it to a
19 sporting event, of \$218,227. That would be the full
20 national, including the 30 percent plus the 70 percent
21 that we excluded.

22 Q And that \$218,000 would then be divided by
23 the total number of stations that broadcast Donahue in
24 order to find out what each station, on average, paid
25 per hour, is that correct?

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1 A You could do that, yes.

2 Q Have you done that math?

3 A No.

4 Q Let me try to go at it a different way.
5 You take your Exhibit B here, page 1, and you see
6 where it says, looking at top ten markets, strike "top
7 ten" and insert in there the total number of markets
8 on which the Donahue Show aired, which was
9 approximately 198?

10 A Yes.

11 Q And then strike where you say it would
12 generate 30 percent of all revenue and insert in there
13 100 percent of all revenue. Now, could you then do
14 the calculation and tell me what you would get on a
15 per-hour basis for the average station for Donahue in
16 1990?

17 A You want me to do the math?

18 Q Sure. Do you need a calculator?

19 A Yes. I've done the math on what the
20 national rights are.

21 Q I understand.

22 A And we've done the per-station in the top
23 ten.

24 Q Now I want all stations that Donahue aired
25 on in 1990, all 198 markets.

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1 A \$110,216.

2 Q That was the number that I came up with.

3 COMMISSIONER GOODMAN: Per what?

4 MR. GARRETT: Per hour.

5 BY MR. GARRETT:

6 Q That's the number that would be comparable
7 to the \$6,547 number that you look at here, if you
8 look at all stations rather than just the stations in
9 the top ten markets, correct?

10 A That's correct.

11 Q Let me just ask you generally, if you did
12 the same analysis for Oprah and Sally, which are on
13 pages 2 and 3 of your Exhibit B, you would also come
14 up with numbers that are lower than the \$16,230 and
15 \$2,806 figures presented there, correct?

16 A Yes. There's a shorter way to do that.
17 The Oprah national rights are \$541,008 for all of her
18 stations. The Sally national rights are \$93,527 an
19 hour for all stations, and you could just divide that
20 figure by all the stations to come up with an average
21 hourly figure.

22 COMMISSIONER GOODMAN: Well, I'm confused.
23 If we go to the Donahue Show, why isn't it real
24 simple. If \$6,547 per hour represents 30 percent of
25 all revenues, why don't we just multiply that times 3

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1 1/3 and get the answer for 100 percent of revenue,
2 which should be \$20,000 per hour. What am I missing?

3 MR. GARRETT: Well, it would be times 10 so
4 you get all the stations, but what he presents here is
5 the figure -- and correct me if I'm wrong, Mr. Thrall
6 -- of what the average station in the top ten markets
7 pays, correct?

8 THE WITNESS: Yes, that's correct, and we
9 picked the top ten markets because for a program to
10 succeed in syndication, it really must have the top
11 ten markets, and we felt that was a universe that
12 could be compared with the other types of rights that
13 had been discussed, but you could also go with 260
14 hours for the whole year divided by the annual
15 revenue, and come up with a per-station rate, or you
16 could look at a national rights which, in most of the
17 sporting events, I think, is what you're dealing with,
18 and that would be -- the per-hour rate on that concept
19 would be \$218,227.

20 Our point is that this is not \$690 an hour
21 programming, there's a wide range of programming in
22 syndication, and much of it is quite valuable.

23 COMMISSIONER GOODMAN: In the 6547 per
24 hour, is that per-hour per market?

25 THE WITNESS: Which is that, the \$56,739?

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1 COMMISSIONER GOODMAN: Right.

2 THE WITNESS: That is the 1990 total
3 revenue.

4 MR. LANE: The 6547 is per hour, per
5 market.

6 THE WITNESS: Of the top ten, yes.

7 MR. LANE: And then what Mr. Garrett just
8 asked is, what would it be per hour, per market, for
9 all stations, all markets around the country.

10 COMMISSIONER GOODMAN: I don't know if I
11 was misled or misunderstood because if you look --
12 what I look at -- when I look at the exhibit, I just
13 saw the dollar hour per hour total programming, and
14 then looking at the top ten market, was generated all
15 revenue. I just misunderstood that that's a per
16 market number.

17 THE WITNESS: Yes. We said that the top ten
18 markets generated \$17 million, and that was the basis
19 for taking the 2600 hours that would be involved in
20 the top ten markets, 260 programs times ten markets
21 and coming up with the 6547.

22 There certainly are a variety of ways of
23 doing it, and probably the simplest thing is just
24 taking the total revenue and dividing it by the number
25 of hours that were sold and saying, the value in the

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1 marketplace of selling an hour of Donahue in the
2 United States was \$218,000, but certainly it's also
3 true that if you divide that by the 198 stations, you
4 get \$1100; if you divide it by -- you take the
5 proportion earned in the top ten, you get the \$6547
6 figure that we have in the exhibit.

7 I'm sorry if it's confusing, it's just
8 trying to come up with a relative figure that can be
9 compared with other figures that you have.

10 BY MR. GARRETT:

11 Q Mr. Thrall, just so I'm clear, if the
12 Tribunal wants to know what a station in the top ten
13 market paid per hour of Donahue in 1990, they can look
14 at your Exhibit B and they would come up with the
15 number of \$6,547, correct?

16 A That would be the average. Now, there
17 would be great range within that. Obviously, New York
18 is going to pay a great deal more than whatever the
19 tenth market is. This is an average. So, you could
20 have a wide variety, and we don't discuss the per-
21 market fees that we charge for the program. That's
22 why we've done this study to come up with this figure,
23 but it's average, just like if we did the whole 198
24 markets, we're dealing with average. It's going to be
25 much higher on the top and it's going to be much lower

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1 on the bottom because the number of people in the area
2 served by the station are going to determine pretty
3 much the rate -- that and the other factors of the
4 marketplace, supply and demand and availability of
5 time periods, all of those other factors.

6 Q And if the Tribunal wants to know what the
7 average station paid in all of the markets where you
8 sold Donahue in 1990, that number would be \$1,102 an
9 hour, correct?

10 A Yes.

11 Q And, again, if we do the same type of
12 analysis for Oprah and the Tribunal is simply
13 interested in knowing what is paid for Oprah in the
14 top ten markets, we see the \$16,230 figure, correct?

15 A Yes.

16 Q And if we look at the average amount paid
17 for Oprah across all of the markets in 1990, the
18 number would be closer to about \$2800 an hour?

19 A \$2789, I think it is and, again, the total
20 national figure being \$541,008.

21 Q And with respect to page 3 of Exhibit B, if
22 the Tribunal is interested simply in the amount paid
23 by the average station in the top ten markets for
24 Sally, that number is \$2,806 per hour, correct?

25 A Yes.

1 Q And if they want to look at all of the
2 stations, what they paid for Sally in 1990, that
3 number will be closer to \$600 an hour, correct?

4 A That's right, and the total country would
5 be \$93,527 an hour.

6 Q And because we have in other portions of
7 the record here and last year, half-hourly rates, let
8 me just ask you with respect to Exhibit B, page 1, the
9 Donahue Show, the average half-hour rate for Donahue
10 would then be about \$550 a half and hour?

11 A Well, You can't really do it that simply.

12 Q That's because Donahue is sold as an hour
13 show?

14 A That is produced as an hour show, so the
15 cost of the -- there are certain costs of the show
16 that don't change, whether it's an hour or a half-
17 hour. It would cost you -- the same amount of money
18 to rent a studio an cameras and the staff to produce
19 the show is the same size, sop the economics going in
20 are different, and so it would not be divided in half.
21 You could do it as an exercise in mathematics, but
22 that would be all that we'd represent.

23 The Sally Show was sold in a half-hour form
24 before it became in 1990 an hour form.

25 Q I wasn't trying to look at it from the cost

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1 side, I was looking at it from the revenue side
2 because I thought that's what Exhibit B --

3 A No, but cost does affect revenue because we
4 have to sell the show for enough money to make money
5 on it. So, we can sell a lower cost show for less
6 money than we sell an expensive show.

7 Q We had figures, I think, in the record last
8 year concerning movies, which are typically two hours,
9 and we had half-hour figures for those. You're saying
10 that we cannot compare those half-hour figures for
11 movies to the half-hour figures for the Donahue Show?

12 A You could do it, but it's an exercise in
13 mathematics. You can say that's what a half-hour of
14 the hour show would have been worth if you cut it in
15 half, but if you truly had a half-hour show, it would
16 be operating on its own set of dynamics, and it could
17 be different.

18 Q Okay, fair enough. Let me ask you to turn
19 to your advertising study, which is Exhibit H. Let me
20 just direct your attention for a moment to page 16.
21 Up at the top there, you say that "the value of
22 advertising time on Multimedia's leading program,
23 Donahue, gives the Tribunal a quantitative measure of
24 the marketplace value of this program", correct?

25 A Yes.

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1 Q And you go on to cite Mr. Cooper as
2 authority for that.

3 A Yes.

4 Q The advertising study that you have
5 presented here is similar to one that you have
6 presented in past Phase II proceedings, is that not
7 correct?

8 A That's correct.

9 Q Let me hand you a copy of a portion of your
10 testimony in the 1986 Phase II proceedings. I don't
11 think it needs to be -- well, let me mark that Sports
12 Exhibit 8-X.

13 (Whereupon, the document
14 was marked for
15 identification as Exh.
16 No. JSC 8-X)

17 Sports Exhibit 8-X consists of the first
18 page and Exhibit 4 of Mr. Thrall's testimony in the
19 1986 proceeding. And I have a copy of your complete
20 testimony in that proceeding, Mr. Thrall, if you'd
21 like to refer to it anytime.

22 Do you recall having done that advertising
23 study for the Tribunal in the 1986 Phase II
24 proceeding, Mr. Thrall?

25 A Yes.

1 Q Was the methodology of the study that you
2 did in 1986 different from the methodology that you
3 used to do the study here for 1990?

4 A I think it was very similar other than the
5 non-Local being removed for the 1990.

6 Q That's the point you referred to earlier
7 this morning about --

8 A That's right.

9 Q Incidentally, in your 1990 study, you
10 selected what, I think 20 markets, is that right?

11 A It looks like about 20, and 20 is what I
12 recall.

13 Q Did you personally select those markets?

14 A No, we couldn't do that because we had no
15 control over what markets the agency that gave us the
16 figures represented. And so we had -- we told them to
17 spread the markets so that it was a mixture of large,
18 middle size and small markets, but they were limited
19 to markets in which they represented the station that
20 carried the program.

21 Q Were there any other criterion other than
22 that you wanted a number of large, medium and small
23 markets represented?

24 A No, that was it.

25 Q Did you tell them how many markets you

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1 wanted data from?

2 A I think we picked 20.

3 Q And is that basically the same methodology
4 that you followed back in the 1986 proceeding?

5 A Yes.

6 Q Mr. Thrall, I have a copy of the Tribunal's
7 Final Determination in the 1986 Distribution
8 Proceeding, and let me just read you a line here from
9 page 16154 of Federal Register Volume 54. It says,
10 "Multimedia's advertising and timings of this were
11 sufficiently impeached by MPAA to preclude any finding
12 of changed circumstances", do you recall that?

13 A Not specifically.

14 Q Do you recall how it was that Dennis
15 impeached you on that?

16 A No, I'm sorry.

17 MR. GARRETT: Do you want to tell me,
18 Dennis?

19 MR. LANE: No, I certainly don't.

20 (Laughter.)

21 MR. GARRETT: You mean I've got to do this
22 all by myself, huh.

23 MR. LANE: It's a tough standard to live up
24 to, Bob.

25 MR. GARRETT: I'm not going to argue with

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1 that. Ten years I've been in your shadow.

2 BY MR. GARRETT:

3 Q Do you recall any discussion in the 1986
4 proceeding as to the representativeness of those
5 markets that were chosen in that particular year?

6 A I'm sorry, I don't recall the specific
7 discussion of that question.

8 Q Do you recall Mr. Lane asking you about
9 whether or not the ratings and shares of Donahue in
10 those markets selected for your study were, on the
11 average, greater than the ratings and shares in other
12 markets?

13 A I can't specifically recall that. I would
14 have to refresh my memory by going through the
15 transcript of the testimony.

16 Q Well, in the Tribunal's Final Determination
17 on page 16151, they say, "MPAA analyzed the selected
18 21 markets and found that Donahue in those markets had
19 an average share 27.5 percent higher than the average
20 share for Donahue for all television markets", citing
21 the MPAA exhibit. "Since advertising revenues are
22 tied to the share a program gets, use of higher share
23 markets tend to distort the advertising study." Do
24 you recall that conclusion of the Tribunal?

25 A Yes.

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1 Q Now, did you instruct the people at the
2 advertising agency to ensure that the markets they
3 selected had average shares comparable --

4 MR. LANE: I'll object to the question as
5 no foundation. Ask him about the 1990 markets. He
6 hasn't produced any foundation of what the shares were
7 in the markets selected in 1990 nor has he produced
8 any evidence about what the shares were in other
9 markets in 1990.

10 MR. GARRETT: I beg to differ. I think
11 that information is, in fact, included in Sports
12 Exhibit 6-X that I put out earlier, but I'm not going
13 to rely on that. I simply want to know what he asked
14 the folks at the advertising agency to do.

15 MR. LANE: If you ask that question, I
16 won't object to it.

17 MR. GARRETT: I thought that's what I
18 asked.

19 BY MR. GARRETT:

20 Q Mr. Thrall, did you ask the folks at the
21 advertising agency, who provided you this information
22 from in H --

23 A Did I ask them --

24 Q I haven't finished.

25 A I'm sorry.

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1 Q It takes a while.

2 A I'm sorry.

3 Q I not only get paid by the number of
4 questions I asked, but the length of the questions.

5 Did you instruct anyone at the advertising
6 agency to provide you with data from markets that had
7 the same average share of viewing for Donahue as
8 Donahue gets on a national basis?

9 A No.

10 Q Can you tell me what the average -- by
11 referring to the Arbitron Syndicated Program Analysis,
12 can you tell us what the average rating and share was
13 for Donahue in 1990?

14 A I believe in this Arbitron document, they
15 would refer to the bottom figure, the Sunday through
16 Saturday, Sign-on to Sign-off figure, as being a 6
17 rating and a 22 share.

18 Q And now you're referring to the first page
19 there, or actually page 1057, up on the top, left side
20 there, is that right?

21 A Yes.

22 Q Does that accord with your recollection of
23 what the average rating/share of Donahue was on a
24 national basis in 1990?

25 MR. LANE: Excuse me -- this is May 1990.

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1 The exhibit only relates to May 1990.

2 THE WITNESS: That's right. There are four
3 sweeps, with the largest amount of viewing taking
4 place in November and February, and the lowest taking
5 place in July, and the second to lowest in May. So,
6 I'm sorry, I don't have a figure for each of the sweep
7 periods. I would have it only in Nielsen, if I had
8 it, because we don't use Arbitron. So, I don't know
9 whether this is representative of the ratings and
10 shares of 1990, or not.

11 BY MR. GARRETT:

12 Q Well, Mr. Thrall, let me refer you to
13 Exhibit H. The data there is taken, the selling
14 prices, for 30 seconds during the second quarter of
15 1993, is that right?

16 A Yes.

17 Q Does that include the month of May?

18 A Yes, it would.

19 Q Are the selling prices for the second
20 quarter, since you raise this issue, are they
21 different than the selling prices for the first,
22 third, and fourth quarters?

23 A That would all depend -- it depends on what
24 you're talking about. It is a complex question to try
25 to reduce to a simple yes or no answer. If you're

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1 talking about barter advertising that we sell, that is
2 not affected by this at all. The barter advertisers
3 don't even look at either the Nielsen ROSP or this
4 Arbitron. They will deal with the NTI rating because
5 the NTI is what governs national spot sales.

6 As far as an individual station is
7 concerned, they will use the full book. So, if you
8 went through and went market-by-market, you would see
9 what those individual shares are, and those would be
10 the dynamics on what advertising in an individual
11 market would be. So, this national share may be based
12 the advertising actually sold during this quarter,
13 which would be April, May and June, and this book
14 would probably come out somewhere around the third
15 week of June, would not necessarily be directly
16 related to this, and the barter wouldn't have anything
17 to do with it.

18 Q Let me ask you this. Would the ratings and
19 shares of Donahue on these 21 stations that you
20 picked, be on average the same as the ratings and
21 shares on all of the stations?

22 A I don't know.

23 Q In any sweep period, do you know?

24 A I don't know.

25 Q Now, if I look at your testimony that's

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1 included here in Sports Exhibit 8-X, what was the
2 total dollars that you projected having been spent on
3 advertising for Donahue in 1986?

4 A \$182,782,538.

5 Q And the number that you project here for
6 1990 is what?

7 A \$173,133,542.

8 Q Now, just simply looking at these exhibits,
9 that suggests a decline in the advertising revenues
10 attributable to Donahue, from \$182 million to \$173
11 million over this period, is that correct?

12 A Yes.

13 Q Does that accord with your understanding of
14 what actually happened with the Donahue during this
15 period? Did the advertising revenues, in fact,
16 decline?

17 A Well, they certainly declined some in this
18 study. I'd have to limit it to this study.

19 Q Does this study not accurately reflect what
20 happened to the advertising dollars?

21 A The study in both years is a reasonable
22 approximation, and it was only presented as a
23 reasonable approximation, not as an exact figure. And
24 so this figure would vary some, and since these
25 figures are \$9 million apart, it's possible that there

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1 could be a \$3 or \$4 million variation in -- which
2 could change them. It could either increase or
3 decrease the difference, depending on how it happened.
4 So, I could only speak to in this advertising study,
5 this is what this study produced. I've only tested
6 this against the advice of the chief of -- of our Vice
7 President of Finance, that these figures are
8 reasonable figures. We are not presenting them as --
9 we are not discussing what our actual sales revenues
10 for those years are.

11 Q Let me ask you to turn to Exhibit C in your
12 study. Now, do I understand this exhibit correctly,
13 Mr. Thrall, that it refers only to hours of
14 advertiser-supported syndicated programming?

15 A That's correct.

16 Q And is that true also for the exhibit that
17 you have here, Exhibit F? Is that also limited to
18 revenues for advertiser-supported syndicated
19 programming?

20 A Yes.

21 Q Let me go back again to the different types
22 of licensing of programming, and let's just focus on
23 Exhibit F for a moment. Here you are providing us
24 with the revenues attributable to barter and cash-
25 plus-barter programming, is that right?

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1 A Well, the source of this is an ASTA
2 Advertiser Syndicated Television Association study.
3 I don't have the background here. I don't think that
4 has anything to do with cash sales. Are you talking
5 about the hours?

6 Q Right now, I'm focusing on Exhibit F here.
7 It talks about the increase in revenues for syndicated
8 programming. I want to know, are you referring to all
9 syndicated programming there, or just to syndicated
10 programming sold on a barter basis?

11 A It would be the barter syndication sold in
12 barter and cash/barter.

13 Q Okay. And this doesn't provide us then
14 with any data about what happened to the cash sales
15 during this particular period, does it?

16 A No.

17 Q Do you have any general understanding of
18 what happened to the cash sales during, say, the
19 period 1989 to 1990?

20 A No, other than I've already testified on
21 the increase that King World and Multimedia reported
22 in their 10-K reports, which shows -- I forget the
23 exact percentage, but tremendous growth in that
24 period.

25 Q King World.

1 A King World and Multimedia, not in '89 to
2 '90, but we reported on the '84, '85 through '90.

3 Q Would it be fair to say King World is sort
4 of the leading barter syndicator in this country?

5 A Well, King World certainly has three of the
6 most successful programs in syndication, in Wheel of
7 Fortune, Jeopardy and Oprah Winfrey. Those are
8 cash/barter programs, but whether or not in barter
9 they are the leading syndicator -- and, you know,
10 just, if I can, barter is trade. I think when I
11 discussed barter programming earlier, I said we "gave"
12 the program to the stations and they "gave" us spots,
13 that's a trade. Of course, the air time on a
14 commercial station is the only thing it has to make
15 money, and so we "trade" for that air time. So,
16 barter is not a giveaway to the stations. As a matter
17 of fact, barter may be determined to some degree on
18 the economics of whether a program is a growing
19 program, an established program, or a declining
20 program.

21 In a growing program, if you sign a two- or
22 three-year cash sale contract and your program does
23 much better, you can't renegotiate the fee until the
24 end of that license period whereas, if you're in
25 barter advertising, if you get high ratings, you can

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1 immediately sell that audience that you can
2 demonstrate that you have, so the return on barter to
3 the syndicator is much quicker and more responsive.
4 I just wanted to correct that this is not a giveaway
5 situation, this is two ways that the syndicator makes
6 some money, and whether they make it in cash sales, or
7 in barter sales, or a combination of the two.

8 Q Just so that I'm clear, Mr. Thrall, Exhibit
9 F does not provide the Tribunal with any information
10 concerning what was happening to cash licensing fees
11 for syndicated programming during the years, is that
12 correct?

13 A Yes.

14 Q And I'm asking you as an expert in this
15 industry here, do you know what was happening to the
16 cash licensing fees for syndicated programming during
17 this period?

18 A Well, I'm sure they were increasing, but I
19 don't have a specific beyond what -- King World, for
20 example, since I'm talking King World in my testimony,
21 from '89 to '90, their revenues increased 14 percent,
22 and they attributed that increase in their report, to
23 increases in cash license fees for Oprah. So, at
24 least in that indication, there was a 14 percent
25 increase, but I don't have a figure on what the total

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1 industry did.

2 Q If I were in your position, I'd rely on
3 King World, too, but what I want to do is know about
4 the rest of the industry and what was happening to the
5 cash licensing fees.

6 A Multimedia Entertainment made more money in
7 '90 than it did in '89. King World did, too, and
8 that's about as far as I can go on that.

9 COMMISSIONER GOODMAN: What was the year
10 that King World started negotiating longer-term deals,
11 was that in '90, or was that more recent than that?

12 THE WITNESS: No, I think the longer-term
13 deals have been going on since '90, and possibly
14 before '90. Stations have liked the multiple-year
15 deals because they can predict their programming costs
16 over a longer period of time. And for a syndicator,
17 it gives an indication of income. The only place
18 where it doesn't work out for the syndicator is when
19 you have a program that's growing. If you've got a
20 program that's declining, you're better off having a
21 long-term deal because then you have some revenue
22 continuing that might otherwise not. But I think
23 those multiple-year deals began before 1990. They are
24 very commonplace today.

25 MR. GARRETT: Let me have marked for

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1 identification at this point, Sports Exhibit 9-X, a
2 document taken from the May 31, 1990 issue of TV
3 Program Investor, a Paul Kagan publication.

4 (Whereupon, the document
5 was marked for
6 identification as Exh.
7 No. JSC 9-X)

8 BY MR. GARRETT:

9 Q Mr. Thrall, are you familiar with Paul
10 Kagan?

11 A Yes.

12 Q Are you familiar with his publication, TV
13 Program Investor?

14 A Yes, I am.

15 Q Do you receive that publication?

16 A No.

17 Q Are you aware that the MPAA relies on other
18 Kagan data in other portions of their case here?

19 A I have no personal knowledge of that.

20 Q Let me ask you to turn to the fourth page
21 of Sports Exhibit 9-X, to the table called Broadcast
22 TV Syndication Revenues From 1975 to 1999, do you see
23 that?

24 A Yes.

25 Q I've underscored the year 1990, do you see

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1 that?

2 A Yes.

3 Q If you look under the column called Barter,
4 it has the figure of \$1,175,000,000, do you see that?

5 A Yes.

6 Q Now, is that the number that's supposed to
7 be comparable to the \$1.2 billion that you have here
8 in Exhibit F, barter revenues?

9 A I'm not sure.

10 Q Mr. Thrall, as I understand it from this
11 table here, the affiliated Network stations -- Network
12 affiliated television stations -- were paying less for
13 syndicated programming in 1990 than in 1989, a
14 difference of \$611 million to \$599 million. Is that
15 consistent with your understanding of the industry?

16 A Well, I don't have any knowledge on this
17 PKA Analysis or the Butterfield Communications Group
18 estimates, so I really don't know. I look at it and
19 I see they show 611 in '89, they show 610 in '91, they
20 show 599 in 1990, for an industry segment.

21 It's not consistent with my understanding
22 of what's happening in the marketplace with our
23 programming.

24 Q I understand, but the Tribunal is going to
25 be dealing with all syndicated and not just Multimedia

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1 programming, and my question goes to all syndicated
2 programming. Is it not a fact that broadcast stations
3 were paying less for syndicated programming in 1990,
4 on a cash basis, than in 1989?

5 A I wouldn't make that assumption on a Paul
6 Kagan statistic.

7 Q You wouldn't rely on Paul Kagan?

8 A No.

9 Q I'll have to bring it back to the next MPAA
10 witness on that one.

11 Let me ask you this. You cite in your
12 testimony an article by Marianne Paskowski, do you
13 recall that -- an article of January 1, 1990 edition
14 of Electronic Media? Do you recall citing that?

15 A Not isolated.

16 Q Page 3 of your testimony.

17 A Okay. Yes, that's right.

18 Q Did you review the entire article that Ms.
19 Paskowski had written?

20 A I may have read it. I don't recall the
21 entire article.

22 Q I'd like to have marked as Sports Exhibit
23 10-X the article I just referred to.

24 (Whereupon, the document
25 was marked for

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1 identification as Exh.

2 No. JSC 10-X)

3 Mr. Thrall, the article that has just been
4 marked as Sports Exhibit 10-X, do you have that in
5 front of you?

6 A Yes.

7 Q Could I ask you to review and tell me if
8 that's the article that you're referring to there on
9 page 3 of your testimony.

10 A (Perusing document.) Yes, this is the
11 article.

12 Q Let me just direct your attention to the
13 portion that I've underscored, and anytime you want to
14 refer to other portions of the article, feel free to
15 do so.

16 It says up there in the first paragraph,
17 "The heady euphoria of the first-run syndication
18 business in the early 1980s declined by decade's end
19 into a sobering reality", do you see that?

20 A Yes.

21 Q Do you agree with that statement?

22 A No. I would say that what happened in our
23 reference to the 1986 is to lower rated syndicated
24 programs, and the lower rated syndicated programs did
25 run into a very difficult situation. The article

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1 quotes USA Today, which Grant Tinker, with great
2 fanfare -- and Steve Friedman -- took out into the
3 marketplace without a pilot, and they produced a bad
4 program and it failed. So, bad programs failed in
5 1986, as they will continue to fail today.

6 The higher rated programs produced by
7 syndicators continued to flourish through the decade.
8 And so while it is true that the marketplace for less
9 quality product became more -- was diminished and
10 became more competitive, the sobering reality was for
11 people who were dealing with the secondary product.

12 Q Can you give me examples of the less
13 quality product? I assume you're referring to
14 particular types of syndicated programming here.

15 A It's difficult to name specific programs.
16 There are some failures indicated in here and, if you
17 looked at the programming that these syndicators had,
18 those would be programs that would fit the general
19 description. Right off the top of my head, I can't
20 recall specific programs.

21 Q Which ones were the success stories?

22 A Success stories? Tribune, Multimedia,
23 Paramount, King World.

24 Q Everything that they syndicated?

25 A I didn't say everything. No, bad shows

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1 still failed in that decade, but good programs
2 succeeded. Whereas USA Today failed, Inside Edition
3 succeeded. Entertainment Tonight succeeded, and the
4 reality programs succeeded -- America's Most Wanted --
5 other genres of other types and styles of programming
6 succeeded. But there were programs that failed in
7 there, but it was not that the nature of syndication
8 in the '80s reached a point where it was in decline.

9 Q Have you looked to see how these more
10 successful shows fared in the 1990 MPAA/Nielsen
11 viewing study?

12 A No, I haven't.

13 Q Let me direct your attention down to the
14 bottom of page 1, to the next portion that I've
15 marked. It says, "But by decade's end, suppliers of
16 first-run shows agreed that the marketplace was
17 undergoing a fundamental change that could only
18 diminish their business in the next decade". Do you
19 see that?

20 A Yes, I see that.

21 Q Do you agree with that statement?

22 A I think for some first-run syndicators,
23 that was true. I think that was also true of some
24 Network presidents who felt that Network television
25 was a declining art that was going to go in the dumper

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1 and be replaced by cable. Certainly, that opinion was
2 held by some people. I don't happen to agree with
3 them.

4 Q The next portion that's marked here on
5 Sports Exhibit 10-X, do you see that? "If they have
6 to pinpoint a time", do you see that?

7 A Yes.

8 Q Without me reading the whole thing, do you
9 agree or disagree with that statement?

10 A There's no question that in 1986 it became
11 more competitive, and there was a weeding out of a
12 lower rated program.

13 Q You say that by 1990, the marketplace for
14 syndicated programs was still soft?

15 A I didn't say it was soft.

16 Q No, it says that in the article that you
17 rely on here. I asked whether you agreed with that.

18 A I quoted from the article. I don't
19 necessarily agree with everything that the writer said
20 in the article. No, I wouldn't say that 1990 was
21 soft.

22 Q Let me direct your attention back to Mr.
23 Kagan's piece here, Sports Exhibit 9-X, the first
24 page, do you see that?

25 A Yes.

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1 Q In the second paragraph, I've also
2 underscored a sentence that says, "Hardest hit have
3 been the theatrical movie packages, but an
4 overabundance of sitcoms and the near-total rejection
5 of hours by TV stations have contributed to the
6 decline in cash license fees", do you see that?

7 A Yes.

8 Q Do you believe that statement is accurate?

9 A Movie packages and sitcoms, which would be
10 primarily off-Network, and rejection of hours, I
11 believe, in this context, refers to off-Network hours
12 --

13 Q Hour-long programs.

14 A -- hour-long programs, but off-Network as
15 opposed to first-run syndication, and those programs
16 that went into syndication didn't do well at that
17 time. When Mary Tyler Moore went into syndication, it
18 didn't do well. When Laverne and Shirley went into
19 syndication, it didn't do well. When Marcus Welby
20 went into syndication, it didn't do well. When the
21 Fugitive went into syndication, it didn't do well.
22 Run For Your Life didn't do well. Peyton Place didn't
23 do well.

24 So, throughout the history of television,
25 there have been programs that were on the Network that

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1 went into syndication and didn't do well.

2 At King World, shortly before 1986, going
3 back a very few years, was a company that syndicated
4 Paul Strassle's Tax Tips and Merl Lovett (phonetic),
5 the Butcher, three-minute pieces on how to debone
6 chicken, and this little company came up with Wheel of
7 Fortune, which became the great surviving game show,
8 and then the second one was Jeopardy, and then in '86,
9 this year of decline, launched Oprah Winfrey which
10 became a phenomenal overnight success and propelled
11 them into being now a major player. They could have
12 very easily been one of these lower rated people who
13 disappeared in '86, had they made different programs.
14 So, good programs succeed, bad programs fail. If we
15 make wrong decisions in a given year, we may have more
16 failures. If we make good decisions, we'll have more
17 successes.

18 Q Does that chicken program show up in the
19 MPAA study?

20 (Laughter.)

21 The next portion I've underscored here in
22 Sports Exhibit 9-X says "The stations, especially the
23 independents, see themselves in control of a buyer's
24 market. After paying up for product throughout the
25 heady early 1980s, they are now using their clout to

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1 buy selectively and at lower prices". Is that a fair
2 statement from Mr. Kagan?

3 A Well, certainly not, as far as Multimedia
4 is concerned.

5 Q Multimedia is sort of the exception here?

6 A No. I'm sure that would be true of many
7 other syndicators. Fox came along in 1986, and that
8 took a lot of independent stations -- took programming
9 from independent stations, and this is why some of
10 this lower rated programming that had found a
11 marketplace in independent stations was under pressure
12 in 1986, and much of it did not survive and, in those
13 cases, those programs were in trouble.

14 Programs that were syndicated primarily to
15 affiliated stations wouldn't experience that same kind
16 of pressure. So, I don't think you can extend this
17 broadly across the entire industry, although I think
18 it was true for the independents and stations that
19 relied primarily on independent -- or syndicators who
20 rely on independents.

21 Q I'd like to mark for identification a
22 series of articles as Sports Exhibit 11-X.

23 (Whereupon, the document
24 was marked for
25 identification as Exh.

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No. JSC 11-X)

Mr. Thrall, the first page of Sports Exhibit 11-X is taken from the Television Programming Source Book for 1989. Are you familiar with that?

A No, I'm not.

Q It was actually a book that we received from MPAA in the 1989 proceeding. Let me just ask you to turn to the second page of Sports Exhibit 11-X,. Television: The Business of Programming. Do you see the portion that I've marked there?

A Yes.

Q It says, "The entire syndication business seems stalled in traffic; television stations grope through a foggy economy with little money available to fuel the new productions that distributors need in order to shift into passing gear. And the glut of programs that are out there on the highway leaves little room for newcomers". Is that an accurate statement?

A For 1988 and '89?

Q Yes.

A I wouldn't have bought into that.

Q What about for 1990?

A I think that good programs succeed, and certainly what we've seen happen in the launching of

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1 new programs and the acceptance of new programs,
2 especially first-run syndication, has indicated this
3 was not the "end of the road". There was a recession,
4 there may still be a recession, maybe it was a
5 depression, but there were certainly pressures and the
6 business was difficult, but all business was
7 difficult. This was not the "sunset" for syndicated
8 television. It continued to prosper and grew beyond
9 1990 into 1993, and continues to.

10 Q You referred earlier to hour-long shows, do
11 you recall that?

12 A Hour-long off-Network programs? Yes.

13 Q On the next page of Sports Exhibit 11-X,
14 the portion I marked there, it states, "As a general
15 rule, hour shows have more difficulty in syndication
16 because of, among other reasons, a glut in off-Network
17 and first-run half-hours in the pipeline". Would you
18 agree with that statement?

19 A Well, our industry is a great "me, too"
20 industry, and if somebody runs an hour off-Network
21 program and it succeeds, then everyone decides that
22 that's the thing to do. And if somebody runs one and
23 it fails, then they decide that that's the thing to
24 avoid. And the conventional wisdom in this article,
25 as written, was that hour-long off-Network programs

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1 don't work as well as half-hour off-Network programs
2 work.

3 Q Would that be true for 1990 as well as when
4 this article was written?

5 A I believe that trend probably continued
6 into '90.

7 Q In the next portion that I've marked they
8 say, "There's a lot out there from which stations can
9 pick and choose, particularly in the barter category.
10 With so many barter shows huddled in the middle-share
11 ranges, stations are finding themselves n the driver's
12 seat, demanding that distributors go the extra mile in
13 order to make the sale". Now, would that be an
14 accurate statement as applied to 1990?

15 A It may be a little overdramatic and go
16 beyond what I would think the true situation was.
17 They are referring to barter shows, and there are two
18 reasons why you go barter. One, you go barter because
19 you think the stations have a cash supply problem and
20 they would rather give up inventory than they would
21 cash dollars. The other is that the syndicator is
22 looking for a faster return on a growing show that it
23 has confidence in the ratings growing and doesn't want
24 to tie it up in a long-term cash contract.

25 If you decided that the way to get a

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1 second-rate program in the marketplace is to sell it
2 in barter so that the station's won't have to make a
3 cash outlay, you still have got the problem that your
4 program has got to compete in the marketplace because,
5 whether the stations are dealing with all of the
6 inventory or merely half of the inventory, the only
7 way they make money is by selling spots.

8 So, in this period, were there syndicated
9 shows that were put out in barter that didn't have the
10 quality to succeed? Yes. Would they have had to have
11 gone to extraordinary means to get clearance? Yes.
12 But that doesn't necessarily -- isn't a blanket that
13 goes over the entire barter industry.

14 Q I'll try to pass through quickly some of
15 the remaining articles here. Turn to the one where,
16 in the upper, right-hand corner, it's got the letter
17 "B", do you see that?

18 A Yes.

19 Q May 23, 1989 edition of Broadcasting
20 Magazine, do you have that before you?

21 A Yes.

22 Q Let me just go to the second portion I've
23 marked there, second passage, over in the first column
24 on the left. It says, "The seller's market of a few
25 years ago has given way to a buyer's market today,

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1 with stations able to select from a larger pool of
2 product and also less willing to pay top dollar for
3 one show when there are others that may fit their
4 needs at sometimes half the cost". I believe they are
5 only referring there to off-Network sitcoms.

6 Do you feel that that statement would
7 actually reflect the situation in 1990, the year the
8 Tribunal is concerned with?

9 A Well, we've not been involved in the
10 selling of off-Network sitcoms. I would only quarrel
11 with the idea that a station would be willing to take
12 a second-rate program because it would cost less. I
13 don't know of any successful broadcaster who would
14 program his station with lesser quality programming
15 and think he was going to succeed, because there is
16 nothing as expensive as a program that doesn't work.
17 As a program director who made a fatal error in buying
18 Peyton Place, which I've already said didn't work in
19 syndication, we had to write that off. Marcus Welby
20 was such a bad program that it not only didn't perform
21 in its time period, so many people left you that the
22 next two or three hours didn't have any viewers
23 either. We couldn't afford to run it off anywhere on
24 the schedule, so we ate it. There's no cheap price
25 for a program you can't put on-the-air. So, the idea

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1 that somehow -- if there's a lot of competition of
2 good programs, certainly that makes it tough but, if
3 the competition is cheaper programs, cheap programs
4 generally are not cheap.

5 I don't know if I answered your question,
6 I hope I did.

7 Q Certainly.

8 The next article here I have marked up in
9 the top corner with a "C", do you see that, in the May
10 7, 1990 issue of Broadcasting Magazine?

11 A Yes.

12 Q Let's focus on the first passage marked,
13 over there in the left-hand column. It says,
14 "According to a number of television station managers
15 around the country, the glut of off-Network sitcoms in
16 syndication has resulted in dramatic declines in
17 license fees for many of the comedies new to the
18 marketplace. In some cases, managers suggest license
19 fees for shows are half or less what they might have
20 been several years ago, when sitcoms were selling at
21 record highs". Is that an accurate statement as
22 applied to the year in question, 1990?

23 A I think it's accurate, but I think you have
24 to go back and look at what happened with Happy Days
25 and Laverne and Shirley, to understand what happened

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1 in the marketplace. Well, we go back to MASH, really.
2 MASH came out and was a very reasonably priced program
3 and, in fact, it became so successful that it's second
4 -- whatever runs they sold in the first contract, the
5 second contract in the same market sold for even more
6 money because MASH became an extremely successful
7 program. They had underpriced it when they took it in
8 the marketplace.

9 When Happy Days came off of the network,
10 the conventional wisdom was that no sitcoms, because
11 sitcoms were now producing 20 or 22 episodes a year,
12 would ever be able to accumulate the number of
13 episodes to be successful in syndication. And so
14 Paramount, I believe, came out with sealed bids for
15 Happy Days, and stations bid double and triple what
16 they had bid for MASH. And they opened the bids and
17 the winning station got the program. And then Laverne
18 and Shirley came out. And they said, well, Happy Days
19 was the last I Love Lucy except for Laverne and
20 Shirley and, again, it was a sealed bid situation. We
21 were smart enough to pay them so much money they
22 didn't do sealed bids in our market. And it didn't
23 work, but that set a new high.

24 So, we saw these rates go from MASH to
25 Laverne and Shirley in a huge, huge leap. And then in

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1 this period, we're seeing these markets decline, but
2 there were record prices paid immediately prior to
3 this. So, the decline perhaps was a "return to
4 reality", but it still -- still, successful programs
5 commanded very strong dollars. It wasn't a collapse
6 of a marketplace.

7 Q Mr. Thrall, let me ask you again to refer
8 to Sports Exhibit 9-X, the Paul Kagan articles from
9 May 31, 1990. Do you have that?

10 A Yes.

11 Q Let me direct your attention to page 2 of
12 that exhibit. I have underscored under the 1989 and
13 1990 columns, two figures. Do you see that 32 percent
14 and 30 percent?

15 A Yes.

16 Q Now, my understanding is that the data
17 shows that the independent stations paid 30 percent of
18 their budget in 1990 for syndicated programs, which
19 was a decline of 2 percent from 32 percent in 1989.
20 Is that consistent with your understanding?

21 A I really have no experience in programming
22 an independent station. We owned one for a very brief
23 time and I did a little bit of it, but it was -- that
24 was in '83 and '84. If this 30 percent, which seems
25 to continue on into the future, is accurate -- and I

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1 don't know if it is or not -- that decline would be
2 consistent of the growth of the Fox Network, the
3 reduced number of available programs for syndicators
4 to get on independent stations.

5 Q On the next page, you give some data
6 concerning Network affiliates for 1989 and 1990. Do
7 you have any understanding of what the Network
8 affiliates were paying for syndicated programming
9 during those two years?

10 A Well, from a statistical basis, I would say
11 that there's literally no change there. Forty-one
12 percent, 41, 42, 41. If there was a drop, it was in
13 '91.

14 Q Mr. Thrall, Kagan refers to CPM, cost per
15 thousand, are you familiar with that term?

16 A Yes.

17 Q Would you tell the Tribunal how that works,
18 cost per thousand?

19 A Well, it used to be very simple and we
20 could deal with it very effectively. It used to be
21 the cost per thousand, of reaching a thousand homes.
22 In other words, if you reached 5 million homes, that's
23 5,000 thousands, and if you then would sell those
24 homes to an advertiser for \$5 a cost per thousand, you
25 would have \$5 times 5,000 or 25,000 for that 30-second

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1 spot. However, in practice, almost nobody buys homes
2 today. Advertisers are much more sophisticated, so
3 they buy women 18-49, they buy adults over 50, they
4 buy children, they buy minorities, they buy -- various
5 target audiences that they have in the CPMs go up and
6 down, so in selling CPMs, you try to sell to
7 advertisers that want the audience that you have. It's
8 not only important that you have a lot of homes, but
9 that within those homes you have the key demographics
10 that the advertisers that you're trying to sell to
11 have.

12 Q Now, your familiarity with the MPAA/Nielsen
13 study over the years, and all they measure are total
14 homes, isn't that right -- total homes and hours?

15 A That's right.

16 Q But the number of households that one
17 reaches -- strike that. You can have different costs
18 per thousand for different programs, correct?

19 A Yes, for different programs and for
20 different demographics within the same program.

21 Q You can have two and that each reach 10,000
22 households, but in the broadcast industry advertisers
23 might pay different amounts for those two programs?

24 A Yes, between shows and within shows Say,
25 Block Drug, adults over 50 years of age. So, if you

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1 have Lawrence Welk which delivers primarily an over-50
2 audience, or did, then you could sell almost all of
3 your viewers to Block Drug. If you had a program that
4 appealed to 18 to 49 adults, Block Drug was not going
5 to pay for that, they were only going to pay for the
6 people you got over 55. You wouldn't sell that young
7 show to Block Drug unless you couldn't find somebody
8 else to sell it to but, if you had to, you'd sell it
9 to Block Drug. So, within a show you'd get varying
10 degrees of success on matching the demographics with
11 the needs of the advertisers that are there.

12 Q On pages 18 and 19 of your testimony, you
13 referred to carryovers such as advertising during
14 regional sports programs, do you see that?

15 A Yes.

16 Q And you give a figure there of \$102 million
17 for the advertising in regional sports programs,
18 correct?

19 A Yes.

20 Q What is the source of that number?

21 A I believe that's the National Cable
22 Television Association Cable Television Development
23 publication.

24 Q Do you happen to know how that number was
25 derived?

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1 A No, we used the published figure.

2 Q Do you know what a regional sports network
3 is, Mr. Thrall?

4 A I think so.

5 Q Are you familiar with Home Team Sports?

6 A Not specifically.

7 Q Ever heard of the Orioles?

8 A Yes. Is that Home Team Sports?

9 A Yes.

10 Q Where are you from again?

11 A Right now, I'm from New York.

12 Q Are you familiar with the Sports Channel?

13 A Yes.

14 Q Madison Square Garden Network?

15 A Yes.

16 Q Those are regional sports networks,
17 correct?

18 A Yes.

19 Q The data that you have here is intended to
20 show what the advertising costs were on networks such
21 as MSG Network and Sports Channel, as examples?

22 A Cable advertising during regional sports
23 programs, yes.

24 Q Do you subscribe to the MSG Network or to
25 Sports Channel?

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1 A No.

2 Q Are you aware that there are separate
3 subscription that cable operators or cable subscribers
4 have to pay in order to get those program services?

5 A Yes.

6 Q Do you have any idea what those fees are?

7 A No. We operated a regional sports for one
8 year with Anheuser-Busch, and the attempted to sell it
9 for \$14 a month, and couldn't, and it went out of
10 business after a year, but I'm not familiar broadly
11 with what -- I know it's less than \$14.

12 Q How long has MSG been in business?

13 A I'm not sure.

14 Q How about Sports Channel?

15 A I couldn't tell you.

16 Q Home Team Sports?

17 A Don't know.

18 Q Sports Channel in Chicago?

19 A Don't know.

20 Q Any of the other regional sports networks
21 around the country, do you know how long any of them
22 has been in business, or the kinds of revenues that
23 they derive owing in part from advertising revenues?

24 A Our venture was in '83-'84, and it didn't
25 work. Of course, the year we tried it, we had the

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1 Royals and the Cardinals and the Reds as the backbone
2 of it, and the year we did it they all finished last.

3 (Laughter.)

4 Q Impossible, the Cubs always finish last.

5 A We edged them out. We went from the best
6 team in baseball to the worst team. A year later, I
7 think, Kansas City played St. Louis for the World
8 Series, but it was a little late. So, I would suspect
9 that these things all started after 1984.

10 Q Do you know how many were in existence in
11 1990?

12 A No.

13 Q It is true, is it not, that these regional
14 sports networks derive a good chunk of their income
15 from sources other than advertising, isn't that
16 correct?

17 A Yes.

18 Q From subscription fees, in particular?

19 A Yes.

20 Q And these are fees that cable subscribers
21 would pay on top of whatever they pay in order to get
22 the Basic service, typically, right?

23 A Yes.

24 Q On page 6 of your testimony, in the first
25 full paragraph there you talk about the freshness of

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1 programs like a Donahue, the immediacy of those
2 programs?

3 A Yes.

4 Q What is the significance of that for the
5 Tribunal's purposes? What's the significance of the
6 fact that it's live programming?

7 A Well, this is fresh product. As I say, we
8 did 210 -- or did in 1990 -- 210 first-run programs.
9 It's topics that are current, dealing with things that
10 are happening today. Oprah Winfrey just went down and
11 covered the killing of tourists in Miami. Donahue was
12 at the World Trade Center within hours of the bomb
13 explosion. So, they do topical things in a very
14 timely nature, and it's fresh programming, and that's
15 of value to a cable operator to have that. There are
16 some cable services that are all rerun programming.

17 Q They are not very valuable, are they?

18 A I don't know, I'd have to look at them. I
19 know a couple that are for sale.

20 MR. GARRETT: I have no further questions.
21 Thank you very much, Mr. Thrall.

22 CHAIRPERSON DAUB: Thank you, Mr. Garrett.

23 We'll take a short five-minute break and we
24 will come back with Mr. Stewart's cross-examination.

25 (Whereupon, a short recess was taken.)

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1 CHAIRPERSON DAUB: Back on the record. Mr.
2 Stewart, will you proceed.

3 MR. STEWART: Thank you, Madam Chairman.

4 Mr. Thrall, I'm John Stewart, and I'm
5 representing the National Association of Broadcasters.

6 COMMISSIONER GOODMAN: Would you just
7 introduce for the record, the gentleman sitting next
8 to you on your right?

9 MR. STEWART: Yes, indeed. This is Ben
10 Ivans, who is Associate General Counsel of the
11 National Association of Broadcasters.

12 And I must say that it's a little strange
13 to be on the cross-examination side of the room from
14 you, given our history. In fact, I'm sure that if it
15 hadn't been for the other peace accords signed in
16 Washington this week, there would have been a lot more
17 public attention focused on how historic an event this
18 actually is.

19 (Laughter.)

20 **CROSS-EXAMINATION**

21 BY MR. STEWART:

22 Q You probably have testified more than eight
23 times against MPAA, when you count direct and rebuttal
24 testimony, isn't that right?

25 A Probably, yes.

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1 Q In all, maybe ten or 12 times, is that
2 fair? A lot of times Dennis Lane was the cross-
3 examiner as opposed to the person who presented your
4 direct testimony, correct?

5 A Dennis or his co-counsel.

6 MR. LANE: That just shows how broadminded
7 we are.

8 BY MR. STEWART:

9 Q And in those years of testimony, it's in
10 the record of the Tribunal's proceedings, but let me
11 just ask you a few of the significant points. You
12 presented testimony and evidence that the MPAA viewing
13 study was not a proper measure for the value of the
14 programs that Multimedia represented, is that correct?

15 A Yes. Through most of this period, there
16 were five criteria, and we maintain that a proper
17 allocation of the Copyright Tribunal funds should be
18 based on a presentation addressed to all five criteria
19 and not limited to the Nielsen study alone.

20 Q And, further, you testified that the MPAA
21 diary-based viewing study because of the way the list
22 of stations was selected underrepresented certain
23 kinds of stations that were carried as distant
24 signals, to the detriment of programs like those
25 represented by Multimedia, isn't that right?

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1 A Yes, I testified that there were problems
2 with the diary system which was employed as coming out
3 with besides exact audience levels for programs. As
4 far as the Nielsen study on broad issues, it's the
5 best thing that we've got to go on and probably is the
6 most accurate thing, but my objection was to say that
7 this program on this station at this hour did this,
8 and then base the entire allocation from the Copyright
9 Tribunal on that.

10 Q Well, you did more than that, didn't you?
11 Didn't you testimony that because programs produced by
12 Multimedia were often syndicated to Network affiliated
13 stations and because MPAA's non-randomly selected
14 sample on which it measured viewing disproportionately
15 underrepresented Network affiliates, that programs
16 appearing on Network affiliates, including yours, were
17 not fairly represented in the MPAA viewing study?

18 A Yes, that is true. The study originally
19 was limited as to the number of stations that were
20 involved, and it was limited, I think, to the four
21 rating sweeps. As we evolved over the years, it was
22 expanded to include more stations, including stations
23 other than the independent stations, and it was
24 expanded to include, I believe, the October and the
25 March or January rating periods to a certain degree.

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1 But, generally, yes, you are correct.

2 Q The final time, the most recent proceeding
3 in which you presented testimony against MPAA's study
4 was the 1986 Phase II proceeding, isn't that right?

5 A I think that's right. Yes, that's correct.

6 Q And in that case, the last time you
7 testified about the study, you did testify that when
8 you looked at the Network-affiliated stations on which
9 your programs appeared, you figured out whether they
10 were fairly represented in the Nielsen study's list of
11 stations, that they were disproportionately
12 underrepresented, did you not?

13 A Yes.

14 Q Furthermore, in that same proceeding, you
15 testified that the addition of the two extra periods,
16 because of the way MPAA combined the data -- that is,
17 using six-cycle rather than four-cycle data -- also
18 unfairly underrepresented the value of your programs,
19 did you not?

20 A Yes.

21 Q You also have presented testimony
22 consistently in these proceedings that viewing alone
23 was not an appropriate measure of the value of your
24 programs which were first-run original talk programs,
25 is that right?

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1 A Yes, I just stated we felt the four -- the
2 five, now four -- criteria should all be addressed in
3 determining the copyright allocation.

4 Q And you've presented testimony here today,
5 in fact, distinguishing your first-run programs from
6 off-Network reruns, correct?

7 A Yes.

8 Q And your position is that your first-run
9 programs have higher value in the cable marketplace
10 than off-Network reruns, correct?

11 A That's a pretty complicated question to do
12 a yes or no answer on.

13 Q So, you believe that the off-Network reruns
14 are more valuable than the programs you've represented
15 here?

16 A No, I wouldn't say that, but I can't really
17 say either side of that is true.

18 Q Well, then, is there any reason the
19 Tribunal should give any special consideration to the
20 evidence you've presented about the nature of the
21 programs Multimedia represents?

22 A Oh, sure.

23 Q That's because they are --

24 A That's very specific, but you asked me to
25 say that syndication -- that off-Network syndication

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1 as a group is not worth as much as first-run as a
2 group?

3 Q Is that not your position?

4 A Value to the cable operator? What I've
5 tried to do is equate this against the various
6 criteria -- benefit to the cable operator, harm to the
7 syndicator, marketplace value of the program, the
8 amount of time included -- and it's very difficult to
9 take those considerations and divide them neatly in
10 between first-run and syndicated.

11 I think our first-run programs are
12 extremely valuable. I think the fact that they are
13 first-run, and they are fresh, and they are topical,
14 we do 210, they don't have a back-end, and all of
15 that, is the reason why these programs are valuable,
16 and why the first-run syndicator deserves to be fairly
17 compensated by the Copyright Tribunal. As I say, it's
18 a complex thing, and to say this is worth more than
19 that is just --

20 Q Is it your position now that there isn't
21 any reason why the Tribunal should take into account
22 that your programs are first-run and original and
23 topical --

24 A I thought I just answered that there was
25 reason.

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1 Q -- I'm sorry -- as distinguished from the
2 off-Network rerun programming that is also included in
3 MPAA --

4 A My difficulty is to categorize the off-
5 Network rerun program as a single thing.

6 Q Well, in presenting the evidence that
7 you've presented about the nature of your programming
8 being first-run live talk programming, have you not
9 had something in mind to contrast it with?

10 A Well, you can contrast all of our
11 programming with any of the other programming, but
12 there's a broad range, a vast range of programs on
13 both sides. I'm just uncomfortable saying we can take
14 an aggregate of all syndicated programs and say that
15 all first-run programs are worth more than all
16 syndicated programs.

17 Q Hasn't that been, in effect, the point of
18 your Phase II testimony, those eight, or ten, or 12
19 times -- that is, that because of the specific
20 attributes of your programming that you've presented
21 today, those programs deserve some special premium?

22 A If you're doing it on the basis of the full
23 criteria of the Copyright Tribunal, yes, I think
24 first-run programs are entitled to more compensation
25 than an off-Network program.

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1 Q That's as compared with all of the other
2 programs represented by MPAA?

3 A But realize that there's a tremendous range
4 in there, and there can be exceptions. There can be
5 first-run programs that are not worth as much as a
6 particular off-Network syndicated show. Certainly, if
7 we were talking about MASH, you would have to say MASH
8 was an extremely valuable program. In other words,
9 it's such a vast range of programming, I think there
10 are over 5,000 programs represented, that it's hard to
11 make a blanket statement that just covers them all
12 but, yes, we feel that first-run deserves special
13 consideration.

14 Q As compared with whatever the average is,
15 or the aggregate of all of those other syndicated
16 programs?

17 A Yes.

18 Q And that is, once again, because first-run
19 is original. It's not available elsewhere, correct?
20 Hasn't been run before?

21 A That's right, it was not available before,
22 and it's not available to the cable operator on a
23 full-time basis. That's one of the reasons we decided
24 to try to create that and offer that to the cable
25 industry next year.

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1 Q And you suggested that the fact that such
2 programs as you've presented here today are live
3 programs, also merits some special value consideration
4 by the Tribunal?

5 A It contributes to that immediacy. It gives
6 a value to the cable operator, especially with Donahue
7 and the live phone calls, yes.

8 Q And you've also suggested that the subject
9 matter of the programs -- that is, that they are -- or
10 perhaps better the format of the programs, being talk
11 programs addressing current events and topical issues,
12 also makes them deserving of special consideration by
13 the Tribunal?

14 A Yes. A huge majority of the television
15 viewing public watches talk programs. And beyond
16 that, of those people who watch talk programs, 70
17 percent watch four or more different talk programs.
18 And so this contributes a value -- when we say avid
19 fans, these are avid fans. And a cable system able to
20 import a talk program into a time period other than
21 where it's available locally, allows fans to have
22 alternate choices of when to watch, so if two programs
23 are against each other, through cable they would have
24 a chance of watching it in another time period. So,
25 yes.

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1 Q Now, Multimedia owns broadcast stations,
2 correct?

3 A Yes.

4 Q Television stations as well as radio?

5 A Yes.

6 Q And looking at the Sally Jessy Raphael
7 program about which you have presented testimony here,
8 before that program was syndicated, it was broadcast
9 only on the Multimedia station in St. Louis, correct?

10 A That's correct. When we decided to attempt
11 to syndicate Sally Jessy Raphael, we decided to do it
12 through what we call a "slow rollout". There are two
13 ways to launch a program. A slow rollout is you put
14 it on-the-air, you work the bugs out of the format,
15 you develop it and you polish it, and when you feel
16 your product is ready, then you go into a full
17 national syndication. That's what happened with
18 Donahue, not by design, sort of by accident. Back in
19 1967, it began as a local show in Dayton, Ohio.

20 In the case of Sally, we knew we were going
21 in syndication. We had a station in St. Louis that
22 said we have a half-hour time period, we'll put it on
23 the air. And we put it on-the-air, I think, October
24 17th of 1983, which means next month will be ten
25 years. We then went out and got three of four other

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1 stations to carry it. Did that through up to the
2 following September, and then launched the program
3 nationally from there.

4 In the case of Jerry Springer, which is a
5 show we've just -- we started it in 1991 -- we started
6 it in Cincinnati, Ohio, and got three or four other
7 stations to carry it for a year, then we put it out in
8 syndication, and we moved the program to Chicago. So,
9 that pattern is one that we have used. That's the
10 slow rollout.

11 With Rush Limbaugh, we knew that that was
12 going to be an immediate success. We went out from
13 the git-go, tried to get as many stations as we could,
14 and fortunately did very well. Those are the two ways
15 to go.

16 Oprah was the instant for King World,
17 although it had been a local show in Baltimore and in
18 Chicago.

19 Q And are you aware that other syndicated
20 talk shows got their start as station-produced talk
21 shows, such as Charlie Rose, Mike Douglas, the Maury
22 Povich Show originally was a local program on WTTG in
23 Washington? Are you aware of that genre?

24 A I think Mike Douglas was planned as a
25 syndicated show from the beginning, but it did start

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1 in Cleveland. I did the study on the -- potential
2 success study for that for syndication at the time
3 that it started. But, yes, it did start in Cleveland.

4 Q So, the show, although it was only on one
5 station, it was contemplated that it would be
6 syndicated if it was successful?

7 A It was planned to go syndicated at the
8 outset. There are cases where a show just has done
9 well and has gone to syndication.

10 Q Now, you've talked a bit about -- you've
11 talked quite a lot, in fact, about barter. You know
12 what that means. That's a method by which the
13 syndicator can garner additional revenues if the
14 audience expands for its program, correct? It is not
15 bound to the initial cash sale price that it
16 originally set?

17 A No, but to sell national barter, you've got
18 to be in at least 70 percent of the United States, and
19 it's better in 80 percent of the United States. So,
20 if you're launching a program in all-barter and you
21 don't make 70 or 80 percent, you're probably not going
22 to be in business very long. If it's a cash/barter,
23 as long as your development costs can be controlled,
24 you can hold off selling the barter until you reach
25 the 70 percent level.

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1 Q You talked a bit this morning about WWOR
2 and the choice a syndicator would face in deciding
3 whether to sell the program on a non-exclusive basis
4 and, therefore, be able to sell distant cable
5 audiences when it was placed on WOR, or take the other
6 route and sell it on an exclusive basis market-by-
7 market, do you recall that?

8 A Yes.

9 Q And did you specifically say that if WWOR -
10 - if you sold a program to WWOR on a non-exclusive
11 basis, your barter advertisers, you would be able to
12 take advantage of a distant signal audience in terms
13 of selling barter advertising?

14 A Well, if you have not given syndication
15 exclusivity to other stations, then WOR would include
16 your programming in the programming that went on the
17 satellite for their superstation distribution.

18 Q And, hence, you would have audience figures
19 for distant carriage of WOR that you would be able to
20 sell in your barter advertising?

21 A As far as barter advertising is concerned,
22 yes.

23 Q Would you turn to page 19 of your
24 statement, please?

25 A Yes.

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1 Q Do you see there in the last full sentence
2 on that page, "This amplifies the harm syndicators
3 suffer", do you see that?

4 A Yes.

5 Q The harm you are talking about there is the
6 harm that would result if the Tribunal awarded less to
7 your programs than you believe that those programs are
8 worth in the marketplace, is that right?

9 A Correct.

10 MR. STEWART: I have no further questions.
11 Thank you.

12 CHAIRPERSON DAUB: Thank you, Mr. Stewart.
13 Mr. Hester?

14 MR. HESTER: Good afternoon, Mr. Thrall, my
15 name is Tim Hester, and I represent PBS.

16 THE WITNESS: How do you do.

17 **CROSS-EXAMINATION**

18 BY MR. HESTER:

19 Q Let me ask you first about a point that's
20 made in your testimony at page 7. You made the point
21 that avid fans are loyal audiences for cable
22 operators, is that right?

23 A I think I said for talk programs.

24 Q And you're making a point there about
25 people who are particularly interested in a given type

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1 of programming?

2 A Yes.

3 Q And your point is that for cable
4 subscribers who are particularly interested in the
5 type of programming, they will be loyal to that cable
6 system if it's carrying that type of programming,
7 right?

8 A I'm not sure that "loyal" is a word that
9 I'd use, but if you're offering a cable channel and
10 since there is no talk channel, there is a void there
11 of a program for which there are avid fans. By having
12 that on the cable, they are able to satisfy that niche
13 and add it to the other services for which they have
14 a channel.

15 Q And specifically in the full paragraph on
16 page 7, you refer to that as "loyal audiences"? It's
17 in the second sentence in the first full paragraph on
18 page 7.

19 A Loyal talk show audiences, yes. I'm
20 referring to the fact that 70 percent of them watch
21 four different talk shows.

22 Q So, what's the benefit to a cable operator
23 of offering a program that is attractive to a certain
24 niche of subscribers?

25 A Well, when you decide you're either going

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1 to subscribe, it's a determining factor in your choice
2 because you look at the menu that's there and decide
3 if those are things that are worth you spending \$30 or
4 \$40 a month to receive, and having this in the package
5 makes that valuable.

6 Q And you would agree that that sort of
7 loyalty or particular interest in a given type of
8 programming isn't necessarily going to be picked up by
9 a viewing study, is it?

10 A I suppose you could design one that could
11 do that. By viewing study, do you mean Nielsen or --

12 Q I'm talking about the Nielsen viewing
13 study. It doesn't pick up that sort of loyalty or
14 particular interest in a given type of programming,
15 does it?

16 A No, but you could go into the Nielsen data,
17 and if you categorize the ratings of programs by type,
18 you could probably come up with such a figure.

19 Q My point is that if you just look at
20 aggregate number of viewing hours, you're not going to
21 pick up out of those aggregate numbers of viewing
22 hours those programs in which people are particularly
23 interested or that have particularly loyal audiences.

24 A Well, there are many other factors that
25 would determine those number of hours, and so that

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1 would not be an apparent thing that you would find.

2 Q Now, you also make the point that really
3 follows on from what we've just been talking about.
4 If you could turn to page 19 of your testimony, it's
5 at the end of the first full paragraph under the
6 heading For Conclusion, the last two sentences of the
7 paragraph where you talk about the fact that through
8 the retransmission of talk programming, cable
9 operators attract a niche of avid fans, and you go on
10 to say that these fans will subscribe to cable in
11 order to have access to this programming, do you see
12 that?

13 A Yes.

14 Q And, again, that's this point that there
15 may well be subscribers who will choose to subscribe
16 to cable to get access to a particular type of
17 programming, is that right?

18 A That's true.

19 Q And that would be true even if the viewing
20 hours for that type of programming were lower than the
21 viewing hours for certain other types of programming
22 that might be watched by those same households?

23 A That's possible.

24 Q And, indeed, let's just take an example.
25 If a household watches 50 hours of programming a week

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1 but it only watches four hours of talk show
2 programming, four or five hours of talk show
3 programming a week, but that household subscribes to
4 cable to have access to that talk show programming,
5 that's not going to -- the importance of the talk show
6 programming would not be reflected simply in looking
7 at the aggregate viewing hours, would it?

8 A No.

9 Q Now, you talked with Mr. Stewart a few
10 minutes ago about the differences between off-Network
11 reruns and the kind of programming that Multimedia
12 offers, do you recall that?

13 A Yes.

14 Q And again, I take it, your point there was
15 that for a new programming that the cable operator is
16 able to provide to its subscribers through distant
17 signal retransmission, there may be a real value in
18 that that may be higher than the value of a given
19 rerun, is that right?

20 A I'm not sure what you mean a new --

21 Q Well, I'm not sating it very well. You
22 talked about the benefit to the cable operator of
23 being able to provide -- I believe you used the word
24 "fresh" programming?

25 A Yes.

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1 Q And if the cable operator provides a number
2 of reruns in its programming, off-Network reruns, and
3 also provides some of this "fresh" programming that
4 you described, it may well be the case that the cable
5 operator gets the most benefit from the fresh
6 programming. I take it that was your point?

7 A Well, that and the fact that in the case of
8 the first-run programming, and especially the talk
9 programming, it has an ephemeral quality, does not
10 have a large back-end, and so the syndicator needs to
11 be compensated up front. He doesn't have the back-end
12 that would be true of an off-Network sitcom that
13 episodes could be rerun and rerun and rerun. There
14 were, what, 96 Gilligan's Islands, and it went into
15 syndication in 1967, and I believe it's still running
16 today, so there's been a huge back-end to Gilligan's
17 Island that's not available for a first-run. But
18 that's a business side in addition to the
19 attractiveness of the fresh programming.

20 Q And let's focus particularly on the benefit
21 to the cable operator, and let's take the example of
22 Gilligan's Island as compared to Donahue. Your point
23 is that the Donahue offering may be of greater benefit
24 to the cable operator in attracting subscribers, than
25 the Gilligan's Island offering, is that right?

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1 A Yes, that's quite possible. I mean, we
2 also have to recognize that Nick at Nite has made a
3 sizable contribution to the cable systems with old
4 black-and-white sitcoms. So, we can't say that these
5 programs, if presented in a proper format and proper
6 way, don't have a value to the cable operator, but --

7 Q I wouldn't suggest that Gilligan's Island
8 has zero-value, but I take it the point you've been
9 making today is that with first-run programming, that
10 may provide a real benefit to the cable operator that
11 isn't there in a rerun that has been shown over and
12 over again for a number of years, in terms of
13 attracting subscribers.

14 A That's true, yes.

15 Q And, again, that's something that isn't
16 necessarily going to be picked up in a study that
17 measures viewing hours to a particular type of
18 programming, is it? That sort of benefit to the cable
19 operator won't necessarily show up?

20 A Not necessarily.

21 Q Let me show you, if I could, a couple of
22 exhibits that follow on this. I'd like to have marked
23 as PBS Exhibit 3-X.

24 (Whereupon, the document
25 was marked for

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1 identification as Exh.

2 No. PBS 3-X)

3 Now, Mr. Thrall, I have handed you what
4 we've marked as PBS Exhibit 3, and I will simply
5 represent to you that this is taken from the 1990
6 viewing study, and specifically the exhibit that's
7 referenced at the bottom of the page, Program
8 Suppliers Exhibit ARC-5, which shows household viewing
9 hours for different programs, and we have pulled
10 together the top 30 programs in terms of household
11 viewing hours.

12 And let me hand you also what we will mark
13 as PBS Exhibit 4-X.

14 (Whereupon, the document
15 was marked for
16 identification as Exh.
17 No. PBS 4-X)

18 Mr. Thrall, I will represent to you that
19 PBS Exhibit 4-X pulls out from, again, ARC-5, the
20 Program Suppliers exhibit, pulls out the household
21 viewing hours for each of the programs that you
22 discuss in your testimony. And if we could just focus
23 for a moment on the household viewing hours for
24 Donahue, you see it shows roughly 4 million household
25 viewing hours for Donahue in 1990, in the MPAA study?

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1 A Yes.

2 Q And you see that that would place Donahue,
3 for instance, well below Gilligan's Island in terms of
4 household viewing hours. You see Gilligan's Island is
5 ranked there as number 17.

6 A Yes.

7 Q With some 17 million household viewing
8 hours and, obviously, below each of these others in
9 this top 30 grouping.

10 COMMISSIONER GOODMAN: Mr. Hester, let me
11 make sure I understand. The household viewing hours
12 on the two exhibits are solely distant signals?

13 MR. HESTER: Yes. These numbers can
14 actually be found in ARC-5, but ARC-5 is organized
15 alphabetically, so what we did was, in preparing
16 Exhibit 3-X, we ranked ARC-5 according to household
17 viewing hours and just pulled out the top 30, for
18 purposes of illustration.

19 COMMISSIONER GOODMAN: I understand that.
20 My concern is that we've sort of got apples and
21 oranges, that the witness, in his testimony,
22 identified success of programs based on the top ten
23 markets -- I assume over-the-air top ten markets. But
24 what we're talking about with these studies are just
25 signal markets. I'm trying to, in my own mind,

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1 differentiate between the numbers of these exhibits
2 and perhaps the numbers that we're considering, and
3 the numbers that we've seen before.

4 BY MR. HESTER:

5 Q I take it, Mr. Thrall, from looking at
6 these two exhibits together, you would agree with me
7 that the fact that Donahue is substantially lower than
8 each of these top 30 programs in terms of household
9 viewing hours does not lead to the conclusion, in your
10 view, that Donahue has less value to cable operators?

11 A Yes, this is sort of a left-handed
12 connection with my direct testimony, but --

13 Q I'm left-handed.

14 (Laughter.)

15 A I hope it isn't confusing but, yes, I
16 would.

17 Q Or putting it more directly, looking at
18 these two exhibits together, you would agree with me
19 that there may well be more benefit to a cable
20 operator from carrying the Donahue Show on a distant
21 basis, than there would be from some of the programs
22 that are listed in 3-X?

23 A I have testified in the earlier hearings
24 that the viewing hour study alone should not determine
25 the allocation of the Copyright Tribunal's awards.

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1 You can compare certain aspects of these programs, but
2 it's very difficult to just on the basis of the value
3 that we place on first-run programming, and talk
4 programming in particular, that there is no
5 significance to these numbers. Certainly, we would
6 say that Donahue would rank higher. Carrying that
7 over to Donahue would be more valuable to cable
8 operators than Gilligan's Island, we'd really have to
9 study the importance of Gilligan's Island to the cable
10 operators to address that. So, I can say, yes, this
11 does not reflect the full value that we think Donahue
12 deserves from the Copyright Tribunal.

13 Q And, specifically, your point is it doesn't
14 reflect the benefit to the cable operator from
15 carrying Donahue on a distant basis, is that right?

16 A That's correct, but also I can't
17 automatically say that everything in 4-X is better
18 than everything in 3, or has more value to the cable
19 operator, because that might not be true.

20 Q And particularly, for instance, if one were
21 to run the math, you could, for instance, add up the
22 top five programs on PBS Exhibit 3-X, and that comes
23 out -- I did the math last night -- it comes out to
24 roughly 219 or 220 million household viewing hours.

25 I take it you would not agree with the

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1 conclusion that because of those differences in
2 household viewing hours, Donahue has 2 percent of the
3 benefit to cable operators that would be reflected in
4 these top five programs?

5 A No, I would say that Donahue would have a
6 higher value than, I would guess, than those top
7 programs that are on WTBS.

8 Q And, specifically, your point is that
9 Donahue would have a higher value to the cable
10 operator as a distant signal?

11 A A higher value than the viewing hours show,
12 yes.

13 Q And -- I'm just trying to follow up -- as
14 a distant signal?

15 A Yes, as a distant signal.

16 Q Now, you make the point -- if I could ask
17 you to turn to page 5 of your testimony -- about
18 program variety. It's really the first paragraph on
19 page 5 where you discuss program variety, do you see
20 that?

21 A Yes.

22 Q What is it about programming variety that
23 is of benefit to cable operators? Why is program
24 variety a benefit?

25 A Well, because cable has traditionally sold

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1 niche audiences. There is a sports niche. There's a
2 movie niche. There's a cartoon niche. There's a
3 comedy niche. There's a news niche. There's about to
4 be a food niche. So, the aggregate of what the cable
5 systems offers to the subscribers should be a niche
6 that represents every major area of interest for every
7 customer that they hope to get to sign up to cable so
8 they can look at that and say, yes, I see value in
9 this. They have not done cable the way over-the-air
10 stations have done, which is try to appeal to as broad
11 an audience as you can, all of the time. Instead,
12 they have gone for the narrow or niche audiences, and
13 this allows them to have not only a niche, but a broad
14 niche, since talk is viewed by practically the entire
15 viewing audience.

16 Q And so the point is that a cable operator
17 may see a real value and may realize real value in
18 programming diversity even if any one of those
19 programs doesn't lead to high viewing hour figures?

20 A Yes. Cable is probably more concerned
21 about the number of people that actually watch today
22 than they were ten years ago, and this is going to
23 increase, but it was true at a time that cable didn't
24 really care if anybody watched, as long as the program
25 helped sell to the subscriber. Now that they are

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1 beginning to sell advertising and they are more
2 accountable for the audience delivery, the number of
3 viewers actually watching is becoming more important
4 to cable operators.

5 Q But when we think about distant signals
6 specifically, the cable operator isn't selling any
7 advertising on the distant signals?

8 A I'm not 100 percent sure of that. I don't
9 know if any of the superstations are giving local
10 systems cut-in times or not.

11 Q Isn't it your general impression that cable
12 operators are required by law simply to retransmit
13 what they are able to pick up from the broadcast
14 station, that they can't sell advertising time on a
15 broadcast --

16 A You're absolutely correct, yes.

17 Q And so in regard to the value of distant
18 signals, the cable operator is going to be
19 particularly interested in diversity of programming,
20 is that right?

21 A Yes.

22 Q Now, at page 6, you make the point in the
23 full paragraph on that page, toward the bottom, you
24 refer to a figure of 627,880 cable households that saw
25 Donahue live.

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1 A Had the opportunity to see it live.

2 Q I'm sorry -- that had the opportunity to
3 see Donahue live on a distant basis, by cable
4 retransmission, do you see that?

5 A Yes.

6 Q What is the significance of that number
7 627,000? Do you see that as a large number, or a
8 small number?

9 A Depends on the context in which you look at
10 it. Certainly, almost 628,000 potential viewers is a
11 large number and, if you got them all, it would be
12 worth a few rating points in the Nielsen. If you take
13 it in relationship to the entire universe, it's a
14 fairly small percentage of the universe.

15 Q But the point is that the ability of cable
16 operators to attract as many as, say, 630,000
17 households with a particular kind of distant signal,
18 that's a real benefit?

19 A Yes.

20 Q Do you know the percentage of the
21 programming included within the MPAA Phase I category
22 that's live programming?

23 A No, I don't.

24 Q I take it it's quite small.

25 A I'm sure it's growing. I'm not sure where

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1 it was in 1990. I know that hardly a day goes by that
2 we don't see another first-run live program announced.
3 So, we know that this is growing, but I think there
4 are over 5,000 programs represented by MPAA, so if
5 there were 25 or 30, it would still be a small
6 percentage.

7 Q Not likely to be much more than 25 or 30,
8 is it?

9 A I'm guessing at that, but I think that
10 would be true.

11 Q If you look at PBS Exhibit 3-X, which has
12 the top 30 programs in terms of household viewing
13 hours -- I'll point out, in fairness, that Geraldo
14 Live is on there as number 11, do you see that?

15 A Yes.

16 Q Are there any others on this list that are
17 live?

18 A Joan Rivers Show, if that's her regular
19 syndicated show.

20 Q Is that retransmitted on a distant basis,
21 live?

22 A I'm not sure what -- and when you say live
23 -- I say first-run. Live live is like Donahue is at
24 4:00 o'clock, and that relates to those 634. Most
25 other first-run shows are not done live, but are done

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1 on a one-week delay in what we would call same-day.
2 In other words, we would produce the show on Monday of
3 this week, and then Thursday we would put it up on the
4 satellite. All of the stations that have signed up
5 for it would record it. And on the following Monday,
6 they would all play the same program. But that's not
7 live. That's first-run, but it's not live. Donahue
8 Live at 4:00 o'clock in New York, and released then
9 the next morning for stations that can't do it. But
10 I'd say Joan Rivers probably is not live, but I
11 believe those are first-run programs.

12 Q Are there any other first-run programs on
13 this list aside from Geraldo Live and Joan Rivers?

14 A I'm not sure about World Championship
15 Wrestling or NWA Wrestling.

16 Q Any others?

17 A No.

18 Q All the rest of these would be then off-
19 Network series?

20 A There are a few that I'm not familiar with.
21 Chip-N-Dale's Rescue Rangers is not a program I'm --

22 Q Probably not first-run, though, is it?

23 A Probably not, but I don't know.

24 Q Now, if I could ask you, Mr. Thrall, to
25 turn to page 7 of your testimony. It's the first full

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1 paragraph on that page, and the third sentence, where
2 you talk about shows airing in different time slots,
3 or airing with different talk episodes, do you see
4 that sentence?

5 A Yes.

6 Q And is the point you're making there that
7 there may be a benefit in a distant signal
8 retransmission if the cable operator is able to
9 provide diversity to the subscriber in terms of
10 scheduling?

11 A Yes. If we went back to Mr. Garrett's
12 drawing of Topeka and Kansas City, with Topeka
13 carrying Donahue Live, assuming that that cable system
14 that he drew inside the Kansas City area was carrying
15 Topeka live and Kansas carrying it on a one-day delay,
16 then for those cable subscribers they would be
17 offering the program in a different time period so
18 that if viewers had a problem watching Donahue at a
19 time it was broadcasting by the Kansas City station,
20 they'd have another option of watching it from the
21 Topeka station.

22 Q And why is that a benefit for cable
23 subscribers?

24 A Because with 70 percent of the talk show
25 audience watching four or more different talk shows,

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1 being able to offer them in different time periods is
2 an advantage to the cable operator.

3 Q Let's move away from talk shows and just
4 generally the concept that you're alluding to is that
5 for somebody who wants to watch a particular program,
6 it may be attractive to them to have different time
7 slots during the day that they can watch it on cable,
8 is that right?

9 A That's correct.

10 Q Now, at the bottom of page 6 and over to
11 the top of page 7, you make the point that the award
12 to Donahue should be higher because it doesn't have
13 rerun potential, is that right?

14 A Correct.

15 Q Now, that's certainly a point that you can
16 raise during the Phase II part of this proceeding in
17 terms of the allocation of an award as between Donahue
18 and other parts of the MPAA category, is that right?

19 A Yes.

20 Q And you'd agree that that's really the
21 place where this particular issue is most likely
22 joined. In other words, once there is an award to the
23 MPAA Phase I category, the question is, how much of
24 that award should go to Donahue and other talk shows,
25 right?

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1 A Yes, but if there's no baby born, then
2 there's nothing to fight over. So, that's why I'm
3 here.

4 Q Well, what percentage of the category
5 represented by MPAA in Phase I is accounted for by
6 talk shows, do you know?

7 A No, I can't give you a percentage figure,
8 but they do represent Geraldo and Oprah and whatever
9 other first-run talk shows were there, would be
10 represented by them.

11 Q Let me give you another exhibit that may
12 help with this. Let's call this 5-X.

13 (Whereupon, the document
14 was marked for
15 identification as Exh.
16 No. PBS 5-X)

17 Mr. Thrall, what I've handed you we've
18 marked as PBS Exhibit 5-X and, again, these figures
19 are taken from ARC-5, an MPAA exhibit. I should say
20 for the record that the totals shown here that are in
21 the middle of the page, for Total Series and Total
22 Series and Movies household viewing hours, is actually
23 taken from MEK-8. I don't believe those totals are
24 shown on ARC-5.

25 Mr. Thrall, we have just done the simple

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1 math here to try to take the household viewing hours
2 shown in the MPAA study and apply it to the totals
3 shown for the MPAA study for both Series and then
4 Series and Movies combined.

5 Are there any talk shows that you're aware
6 of, aside from the ones that are included on this
7 exhibit -- I recognize there are some programs listed
8 here that are not talk shows, but are there any talk
9 shows you're aware of that are not listed here?

10 A From 1990?

11 Q Yes.

12 A None that I'm aware of, but I haven't seen
13 the full list. So, it's possible there could be some
14 others.

15 Q But if the math is right, this would
16 suggest -- you can take out the Star Trek entry alone,
17 I take it that's not a talk show -- and would then
18 suggest that as a percentage of household viewing
19 hours, the talk shows were roughly 6 percent or less -
20 -

21 COMMISSIONER GOODMAN: Are you just trying
22 to isolate talk shows because, if you are, then you
23 also have to kick out Wheel and Jeopardy.

24 MR. HESTER: Right. Actually, I suppose
25 that would be the better way to do it. Take Geraldo,

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1 Joan Rivers, Oprah, Donahue, and Sally Jessy Raphael,
2 those would be the five?

3 THE WITNESS: Well, depending on how you
4 classify -- you know, Entertainment Tonight is a
5 first-run program, it's not a talk show. It would
6 fall under the broad area of informational programming
7 that I mentioned in my testimony, and Inside Edition
8 is a program in that informational area, too. So, it
9 depends on how broad you want to make "talk". Some
10 people call Johnny Carson talk.

11 BY MR. HESTER:

12 Q However you add it up, it would come out to
13 something below 6 percent of total household viewing
14 hours in terms of Series alone, and below 4 percent of
15 the MPAA category as a whole, is that right?

16 A Yes. Even if you left Entertainment
17 Tonight and Inside Edition in, I believe it would be
18 5 percent of the Series.

19 Q And putting it another way, that suggests
20 that roughly some 95 percent of the MPAA Phase I claim
21 is not talk shows?

22 A Again, I haven't seen the full list but,
23 assuming that your figures are right, that would be
24 true, but I haven't seen the list.

25 Q Let me ask you to turn quickly to Exhibit

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1 B of your testimony. This is where you've come up
2 with estimates of dollar values for hours of given
3 talk shows, is that right?

4 A Yes.

5 Q And these figures are based on how much
6 broadcast stations are willing to pay for this
7 programming, is that right?

8 A Yes.

9 Q And this is programming on which those
10 broadcasters have been able to receive advertising
11 revenue?

12 A Yes.

13 Q So, it's not the same thing as what the
14 cable operators would be willing to pay to receive
15 this type of programming, is it?

16 A No, it's not the same. If we were selling
17 to a cable, we would probably be dealing with a
18 subscriber fee that they would pay a month, a certain
19 number of pennies for each subscriber for this overall
20 service.

21 Q And the point is that especially when we're
22 talking about distant signal retransmission of, let's
23 say, Donahue, again, the cable operator isn't going to
24 be generating any advertising revenue out of that
25 distant retransmission, is it?

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1 A I don't believe so, no.

2 Q Now, would you agree with me that the
3 dollar values per hour that you've come up with here
4 for, let's say, Donahue, those dollar values in terms
5 of what broadcast stations would be able to pay for
6 this programming, are substantially higher than the
7 dollar values that broadcast stations would be willing
8 to pay for something like the Flintstones, or Perry
9 Mason, or Tom and Jerry, or the Beverly Hillbillies,
10 all of which appear high on PBS Exhibit 3-X?

11 A Although Perry Mason -- depending on which
12 perry Mason you're talking about.

13 Q I'm talking about the old one.

14 A The old Perry Mason, no, that's true, but
15 I wouldn't want to shortchange him on the eve of his
16 demise, of his later product.

17 Q But let's just take an example. Let's take
18 the Beverly Hillbillies. You'd agree with me that the
19 dollar value per hour of programming that a broadcast
20 station would be willing to pay for the Beverly
21 Hillbillies is much less than these figures you've
22 generated for Donahue, or Oprah, or Sally Jessy?

23 COMMISSIONER GOODMAN: Aren't we getting
24 apples and oranges? Isn't the dollar value per hour
25 on Exhibit B, that's the dollar value per hour to

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1 Multimedia. And the question you were asking, I
2 thought, was the dollar value to the station. They
3 still could be the same, but I don't believe -- as I
4 interpret Exhibit B, that's not meant to be the dollar
5 value per hour to the station of that programming, is
6 it?

7 THE WITNESS: Well, it's sort of an
8 artificial figure. It's the average per station per
9 hour among the top ten markets.

10 COMMISSIONER GOODMAN: So then you would
11 say that is the value to that station?

12 THE WITNESS: It is, although it's an
13 average for 10, so --

14 MR. HESTER: It's the average of what a
15 station would be willing to pay to Multimedia for an
16 hour of this programming.

17 COMMISSIONER GOODMAN: A break-even.

18 MR. HESTER: I don't think so, I think it's
19 the average of what they pay.

20 THE WITNESS: Yes. We are firmly
21 entrenched against breaking even.

22 BY MR. HESTER:

23 Q Let me back up, Mr. Thrall, and try to make
24 this clear. You have derived these figures from the
25 revenues you have actually realized in these markets?

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1 A Yes, that's true.

2 COMMISSIONER GOODMAN: Are the revenues
3 derived exclusively from cash paid by the stations to
4 Multimedia?

5 THE WITNESS: Cash and barter would both be
6 in there, but I think it is reasonable to say that if
7 we took the programs that counsel listed -- the
8 Beverly Hillbillies and those programs -- and got the
9 selling prices in the top ten markets and averaged
10 them the same way we did here, I think it's reasonable
11 that they would be lower than these figures.

12 BY MR. HESTER:

13 Q And let me follow up on one further point
14 that may help. We've talked about two different ways
15 that you realize revenues, one is cash and the other
16 is barter, is that right?

17 A Yes.

18 Q And these revenue figures that you've used
19 in coming up with Exhibit B, include revenues from
20 barter?

21 A Yes.

22 Q But another way to think of that, that's
23 another form of payment from the station to
24 Multimedia, isn't that fair?

25 A Yes, and it could be more, it could be

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1 less, depending on the success of the program or the
2 demand for the advertising. And from the station
3 standpoint, the giving of inventory could be a more
4 expensive thing than the giving of cash, depending on
5 what they could realize from the sale of that
6 inventory themselves.

7 Q But if you put together the two streams of
8 revenue, the cash and barter, it gives you a
9 reasonable approximation of how much a station will be
10 willing to pay in cash for a given hour of
11 programming?

12 A If they have all of the advertising in the
13 program?

14 Q Yes.

15 A I think so.

16 Q In other words, if they haven't given you
17 any barter, if they've given all the payment to you in
18 cash, it's a rough approximation of the numbers that
19 you have here.

20 A Yes.

21 Q So that, again, the numbers you are showing
22 in Exhibit B are, on average, what you actually
23 realize as revenues from selling an hour of this
24 programming in these markets?

25 A These aren't actual revenues because -- we

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1 explained, we've gone from the figures in the 10-K,
2 and we sort of backed into this. When we got this, I
3 went to the Vice President of Finance and said, is
4 this reasonable, without divulging exactly what it is,
5 and he said, yes, that's reasonable. So, it's a
6 reasonable approximation, but not an exact figure. I
7 wouldn't want to mislead anyone that that was a
8 precise, exact figure.

9 Q But a reasonable approximation of how much
10 stations would actuary be willing to pay?

11 A Yes.

12 COMMISSIONER DAMICH: Could I ask
13 Commissioner Goodman a question?

14 COMMISSIONER GOODMAN: Should I be sworn
15 in?

16 COMMISSIONER DAMICH: Your point then was
17 that what they actuary pay, according to these
18 figures, on the average, does not necessarily reflect
19 what the value of the program is to the cable system?

20 COMMISSIONER GOODMAN: Yes. I'll tell you
21 what I was endeavoring to do, and I understand it
22 better now. I was attempting to state that it seemed
23 to me -- I was trying to define what dollar value per
24 hour meant -- and initially I was concerned that this
25 isn't actually how much the station is paying because

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1 part of it is coming out of ours -- the station
2 doesn't pay that. I understand Mr. Hester's point
3 that, well, if we kind of fudge a little bit, what
4 difference does it make if they give a barter or pay
5 cash. That was one point I was struggling with.

6 The second point I was struggling with is
7 the concept that this was actually the amount that the
8 syndicator was receiving from the station -- you know,
9 as a flip side way of doing it. Really, what he's
10 getting from the station is cash, he is also getting
11 barter independently. So, that the value at this
12 point -- I started thinking this really is the dollar
13 value per hour to the syndicator, not from the
14 station. And I'm convinced that's what it is.

15 COMMISSIONER DAMICH: I think you're right.

16 COMMISSIONER GOODMAN: I have a question
17 for you also.

18 MR. HESTER: Can I join in?

19 (Laughter.)

20 BY MR. HESTER:

21 Q Would you agree with me, Mr. Thrall, that's
22 two ways of saying the same thing -- I mean, the
23 dollar value that you receive for your programming per
24 hour is another way of saying the value the station
25 puts out for the program.

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1 COMMISSIONER DAMICH: Certainly it's what
2 they are willing to pay.

3 MR. HESTER: What they are willing to pay.

4 BY MR. HESTER:

5 Q My question before, Mr. Thrall, was, this
6 is different from what the cable operator would be
7 willing to pay for an hour of this programming, it's
8 not the same thing?

9 A No, it's definitely not the same thing. We
10 have not, at least so far, been able to sell a program
11 to a cable system, so that's a negotiation that hasn't
12 taken place.

13 Q So, Exhibit B is not measuring values to
14 cable systems.

15 A No, it's measuring the marketplace value of
16 the product.

17 Q For broadcast stations?

18 A Yes.

19 Q And the point is that cable systems are not
20 selling advertising, so it stands to reason that they
21 would be willing to pay something quite different from
22 what's reflected in Exhibit B?

23 A Yes, it's reasonable, although the question
24 of whether it comes from barter or whether it comes
25 from the station is really an academic thing. You're

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1 saying, is the value of the inventory worth more or
2 less than the price paid for the program. If you go
3 with the idea that the station will make more money
4 than it paid us for the inventory, otherwise, there
5 would be no point in their buying it from us, if they
6 weren't then going to sell the advertising for more
7 money than they give us. When they give us the barter
8 time, they are giving us more money, potentially, than
9 they would if they gave us cash because, if they gave
10 us all cash, then they would sell that inventory for
11 the higher price. Is that --

12 Q Yes. But all of this is talking about
13 broadcast stations.

14 A Yes.

15 Q And not to have a death-grip on the
16 obvious, but the point is that the cable --

17 (Laughter.)

18 -- the cable operator generates revenues in
19 a very different way. It generates revenues from
20 subscribers and not from selling advertising through
21 these distant signals.

22 A Not through distant signals, although they
23 are selling advertising in their own product.

24 Q Now, let me ask you to turn, if you could,
25 to page 16 of your testimony, and this is where you're

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1 talking about selling prices of advertising time, in
2 the middle paragraph in particular, you are talking
3 about selling prices for advertising time, do you see
4 that?

5 A Yes.

6 Q And there you are working with 1993 data?

7 A Yes.

8 Q And what's the basis for using 1993 figures
9 when we're trying to come up with values for 1990?

10 A Well, in this particular case, these are
11 difficult figures to come up with because Katz does
12 not want to reveal what it's doing with its stations.
13 And so -- and it's difficult for them to come up with
14 this because they have to go into their computers and
15 pull out information and put it together in this way
16 for us.

17 We didn't have the forethought to order
18 this in 1990 because I didn't know I was going to be
19 here, and we felt that since we adjusted it using the
20 cost-of-living index back, we were better going with
21 what we felt were more reliable figures from 1993 and
22 taking them back to 1990, than we were asking Katz to
23 go now back into three-year-old records and try to
24 produce the same list. So, we thought it was the best
25 way to go and got us the most accurate information.

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1 Q And we've talked quite a bit about Exhibit
2 H where you developed estimated advertising revenues
3 for Donahue and the other talk shows, is that right?

4 A Yes.

5 Q and would you agree with me that the
6 advertising revenues that you've developed here are,
7 in all likelihood, going to be higher than the
8 revenues would be if you had done a comparable study
9 on something like the Beverly Hillbillies?

10 A I would guess that's true. I don't have
11 any first-hand knowledge of that, but I would think
12 that would be true.

13 Q And what's the basis for your guess or
14 assumption about that?

15 A I don't see a lot of the Beverly
16 Hillbillies on broadcast stations. I don't believe
17 that I saw a lot of them in 1990.

18 Q And so the point is that the Beverly
19 Hillbillies are not seen by broadcast stations as a
20 significant way to generate advertising revenue?

21 A Well, in 1990, there were better choices,
22 more competitive programs. The over-the-air stations
23 hope to win every time period and attract huge
24 audiences and, in 1990, the Beverly Hillbillies was
25 not one of the ways they thought they could do that

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1 whereas first-run talk programs were. They did so
2 well that now we have lots of them.

3 Q Let me ask you to turn, if you could, to
4 pages 12 and 13 of your testimony. And at the bottom
5 of 12 and over to 13, you are talking about results in
6 terms of viewing hours, is that right?

7 A Yes.

8 Q You're not talking here about distant
9 signal viewing hours, are you? You're talking about
10 over-the-air viewing hours?

11 A Yes.

12 Q Now, you talked with Mr. Garrett about the
13 fact that you sell your syndicated programming to a
14 given station on a station-by-station basis? In other
15 words, you engage in a separate negotiation with any
16 station that's going to carry your programming, is
17 that right?

18 A Right.

19 Q And am I right that one of the things you
20 would look at in trying to negotiate a price with a
21 particular station, would be the audience reach of
22 that station?

23 A Yes.

24 Q And that's because the audience reach bears
25 directly on how much advertising revenue would be

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1 associated for that station when it carries your
2 programming?

3 A Yes.

4 Q So, isn't it also true that as part of the
5 advertising reach, you would take into account the
6 fact that that station might be carried on a distant
7 basis by some cable operators? In other words, you
8 would know that the station was being carried on a
9 distant basis and that would be reflected in the
10 audience reach for that station, is that right?

11 A Well, that would be true if you're selling
12 to an independent station, to a degree. Probably not
13 as true when you're selling to an affiliate.

14 Q But the data you'd be working with in
15 deriving audience reach for a given station, would
16 take account of distant signal viewing over cable?

17 A Yes. Certainly, the time period and the
18 station on which your program is being broadcast is
19 very important because, if it doesn't do well, it's
20 not going to get renewed and you're not going to be
21 able to sell the barter advertising for the revenue,
22 so all of those things are important and, yes, you
23 would look at -- you would rather -- if you were a
24 Network program, you'd rather follow Roseanne. If
25 you're a syndicated program, you'd rather not be head-

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1 to-head with Oprah, which we are in a lot of markets,
2 but you look at the strength of the station and the
3 adjacent programming and all of those things.

4 Q And so as a negotiating matter, to the
5 extent that there is retransmission of a given station
6 over cable, that's going to be taken into account in
7 the negotiation over the price, isn't it?

8 A Generally, yes.

9 Q And, therefore, to the extent you're
10 selling programming to a station that is subject to
11 more retransmission, you'll get higher license fees,
12 won't you?

13 A That would be reasonable, yes.

14 Q And particularly if you were selling
15 programming to an independent station that you knew
16 was being retransmitted over a large portion of the
17 nation, you would take that into account in
18 negotiating the price, wouldn't you?

19 A Although you do have another situation when
20 you get into that particular -- another consideration
21 when you get in that situation. If you are selling a
22 show in barter, you need 70 to 80 percent of the
23 United States in your coverage. You can't -- it's
24 very difficult to get that without certain major
25 cities -- New York, one I happen to be familiar with.

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1 If you can't clear an affiliated station in New York,
2 and the station knows that in order to clear your
3 barter show you've got to have that 7.75 percent of
4 the United States, then it becomes immediately a
5 buyer's rather than seller's market. So, you can't,
6 in effect, take advantage of the fact that a distant
7 retransmission would give you a greater number of
8 viewers, except in the selling of barter, if there is
9 a cash price.

10 Q But if you are getting barter and that
11 station is going to clear in 70 to 80 percent of the
12 homes, that barter is going to be more valuable to
13 you, isn't it?

14 A Assuming that you haven't given syndication
15 exclusivity to the rest of the country. If you have
16 given syndication exclusivity, then you're in trouble.

17 Q Putting it another way, the fact of distant
18 retransmission is something that can be factored into
19 the negotiating over the prices for syndicated
20 programming.

21 A Assuming that it's not a market that you
22 have to have to make your 70 or 80 percent.

23 MR. HESTER: I have no further questions.
24 Thank you, Mr. Thrall.

25 CHAIRPERSON DAUB: Thank you, Mr. Hester.

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1 Mr. Midlen?

2 MR. MIDLEN: Madam Chairman, I'm sure it
3 will come as a huge disappointment to the Tribunal,
4 but Devotional Claimants have no questions.

5 CHAIRPERSON DAUB: Thank you very much.
6 Commissioners?

7 COMMISSIONER GOODMAN: Mr. Thrall, on page
8 16 of your testimony, in that second paragraph, is
9 saying the sum of the 30-second spot sales figures, is
10 that the average? You don't mean sum, do you?

11 THE WITNESS: This is in the middle
12 paragraph?

13 COMMISSIONER GOODMAN: Yes.

14 THE WITNESS: That is the sum.

15 COMMISSIONER GOODMAN: Did you add together
16 the spots sold by 20 affiliates and came up with this
17 amount of money? Is that, in fact, the sum?

18 THE WITNESS: No, that's correct, that's
19 the sum.

20 MR. LANE: Don't forget, Commissioner
21 Goodman, when you look at the exhibit, you'll see that
22 it only has -- for example, just looking at it quickly
23 -- only one market in the top ten. It has markets --
24 it's all listed there -- but the lowest market is 165,
25 157, so it's not like you're looking at just the top

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1 ten markets, you're trying to get a representative.

2 MR. STEWART: I think that's obvious from
3 Mr. Lane's cross-examination on this exhibit in prior
4 years.

5 (Laughter.)

6 COMMISSIONER GOODMAN: I think you referred
7 earlier to good programming being successful, and then
8 in the same day you referred to the overwhelming
9 success of Gilligan's Island and the overwhelming
10 failure of the Mary Tyler Moore Show in syndication.
11 How do you equate the comment about good programming
12 with the success of --

13 THE WITNESS: Very easy to tell in
14 retrospect, very hard to see up front. The
15 conventional wisdom in 1967, because I was program
16 manager of one of the first stations to buy Gilligan's
17 Island when it came off-net, was that 96 episodes
18 wasn't enough to strip, run five days a week, because
19 that meant in 20 weeks you've gone through everything.
20 Now it's gone on for what, 26 years. It boggles the
21 mind to think of what run we're in in 1993, of those
22 96 episodes.

23 COMMISSIONER GOODMAN: What's the magic
24 number of episodes these days that's minimum for
25 syndication?

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1 THE WITNESS: I suppose the minimum is
2 Gilligan's Island, but I won't swear to that. I mean,
3 that set a new standard at least in 1967. It depends
4 on the program. Some programs people enjoy watching
5 over and over and over. My children watch Star Trek
6 over and over and over. We don't quite understand
7 that. So, I don't know that there's a definitive
8 answer as to a number, but certainly there has to be
9 enough that you can get through the bulk of a year
10 without repeating. So, when a once-a-week Network
11 series comes off, if it's been on two years and it has
12 40 or 42 episodes, that would be pretty difficult to
13 strip because every eight or nine weeks you'd be
14 repeating. And after you did that three or four
15 cycles, the audience would know the words. So, unless
16 it became a camp thing, you know, as the Rocky Horror
17 Picture Show did, that people go to see every Saturday
18 night, it probably wouldn't work in syndication.
19 Probably somewhere around 100.

20 MR. LANE: Commissioner Goodman, Mr. Green,
21 who is our next witness, will address that directly.

22 CHAIRPERSON DAUB: Mr. Lane, would you like
23 to go ahead with redirect.

24 MR. LANE: Yes, thank you.

25 **REDIRECT EXAMINATION**

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1 BY MR. LANE:

2 Q Mr. Thrall, in your Exhibit B, you
3 attributed approximately 30 percent of the revenues to
4 the top ten markets, is that correct?

5 A Yes.

6 Q And is that, in your experience, a
7 reasonable estimate -- recognizing that it's an
8 estimate -- for all types of syndicate programs, or
9 just for Donahue?

10 A It was reasonable for Donahue and
11 reasonable for Sally Jessy Raphael, and we felt that
12 made it reasonable for us to apply that to Oprah.

13 Q I'm finally going to get to the easel
14 myself here. And remember this picture that Mr.
15 Garrett drew of Donahue in Topeka and Kansas City?

16 A Yes.

17 Q Now, he drew the cable system inside the
18 35-mile zone of Kansas City, did he not?

19 A Yes, he did.

20 Q Now, if the cable system were somewhere
21 outside the 35-mile zone, would there be any
22 protection for it?

23 A No.

24 Q So, if it was here or here or anyplace
25 other than inside that 35-mile zone, there wouldn't be

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1 any Syndex protection, would there?

2 A Neither for the Topeka or the Kansas City
3 station.

4 Q You understand, do you not, that in Phase
5 I we talk about broad program categories, not
6 individual programs?

7 A Yes.

8 Q And you understand that all the programs
9 that were shown on PBS Exhibits 3-X, 4-X, and 5-X are
10 all syndicated programs in the same category, correct?

11 A Yes.

12 Q And your testimony about the value of
13 first-run programming is intended to enhance the award
14 to the entire category, is it not?

15 A Yes.

16 Q Now, you mentioned a number of times, and
17 Commissioner Goodman just brought it up again,
18 something to the effect that good programs succeed and
19 bad programs fail, correct?

20 A Yes.

21 Q How do you determine whether a program has
22 succeeded or failed?

23 A Well, I suppose the bottom line is whether
24 or not it is profitable program. The ingredients that
25 make that is if it is watched by a lot of people and

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1 it is purchased and scheduled by many stations.

2 Q Now, you also mentioned earlier an
3 experience that you had with a regional sports
4 network, do you remember that?

5 A Yes.

6 Q And I take it in that case it was not a
7 success?

8 A It was not.

9 Q And that was even though you were making
10 that available to cable subscribers all around that
11 area, is that correct?

12 A Yes.

13 Q They could have purchased that or not
14 purchased it, right?

15 A That's correct.

16 Q And you mentioned that you think one of the
17 reasons that that may have failed is that all of the
18 teams came in in last place that particular season,
19 correct?

20 A It certainly didn't help.

21 Q Why didn't that help?

22 A Because the viewers were not willing to pay
23 money to see the home games that otherwise would have
24 been blacked out for them.

25 Q The people didn't want to watch those?

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1 A That's right.

2 MR. LANE: I have no further questions on
3 redirect.

4 CHAIRPERSON DAUB: Thank you, Mr. Lane.

5 Before we conclude today's session, I would
6 like to announce to the parties, in your preparation
7 of suggestions to the Tribunal with regard to the
8 proposed schedule, on Friday, we would like you to
9 cross out the last week, which is Monday the 25th
10 through Friday the 29th, from your consideration.

11 MR. LANE: Of October, right?

12 CHAIRPERSON DAUB: Of October. Sorry.

13 (Whereupon, the witness was excused.)

14 Mr. Lane, your Friday witness will be Mr.
15 Green?

16 MR. LANE: Mr. Green, of 20th Century Fox.

17 CHAIRPERSON DAUB: Thank you. Our hearing
18 for today is adjourned, and we will see you again on
19 Friday morning.

20 (Whereupon, at 4:27 p.m., the hearing was
21 adjourned, to reconvene Friday, September 17, 1993, at
22 10:00 a.m.)

23

24

25

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C E R T I F I C A T E

This is to certify that the foregoing transcript
in the matter of: 1990 CABLE COPYRIGHT ROYALTY
DISTRIBUTION PROCEEDING
DOCKET NO. CRT 92-1-90CD

Before: COPYRIGHT ROYALTY TRIBUNAL

Date: SEPTEMBER 15, 1993

Place: WASHINGTON, D.C.

represents the full and complete proceedings of the
aforementioned matter, as reported and reduced to type-
writing.

Phyllis Young

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Individual Program Summary

ADI Program Totals																																
ADI																					LEAD OUT PROGRAM TITLE		LEAD OUT ADI TV HH									
MEN 18+			MEN 18-34			MEN 18-49			MEN 25-54			MEN 55+			TEENS 12-17			CHILDREN 2-11							CHILDREN 6-11							
RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR							
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4	47	40		2	31	10		2	26	13		3	49	16		10	71	22		4			3					227 DAYTIME LOVE CNCTN MORN STRETCH MOVIE	11	54		
6				2				2				3				4													2	9		
6	62	58		1	20	5		2	46	21		4	49	21		16	73	37		8			1								1	
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7				2				3				3				3								1				1				
1	14	25		1	29	13		1	24	19		1	23	19		1	7	6		19				2	6		1	6	6		3	16
2	30	28		1	32	8		1	29	14		1	31	13		3	33	13		14	1			6	3		1	20	2			
9				3				4				4				4								1				1				
1	18	25		1	38	13		1	28	17		1	28	17		2	11	8		19				4	4		1	10	4		4	19
1	19	26		1	24	11		1	17	11		1	12	5		2	23	16		4				2	5			3		4	20	
1	13	25			8	6		1	14	13		1	15	13		1	14	13		12				4	6			3		4	20	
	3	50			5	50			4	50			3	50			1							1				6			2	
1	4	32		1	5	18		1	4	23		1	6	23		1	5	9		1	5	13		1	8		1	2	8			
1																																
6	39	50		4	22	13		5	32	25		5	39	19		9	52	19		2	9	13		5	16	67		7	21	67	3	6
																				6	27			3	12	13		3	11	6	20	46
4	47	45		2	35	7		1	24	9		1	21	7		13	62	36						1								
7				1				2				1				6																
7	54	48		1	21	4		2	31	12		3	35	12		19	72	36		18											5	23
2	25	44		1	28	11		2	36	22		2	38	22		4	17	22		23				3				8		10	45	

ADI Program Totals

SYNDICATED PROGRAM ANALYSIS

DONAHUE				SYNDICATED PROGRAM ANALYSIS																						
MARKET NAME SIGN ON/SIGN OFF SHARE DAY/TIME/TELECASTS TSA (000)				CALL LETTERS	CH NO AFFIL	LEAD-IN PROGRAM TITLE	ADI																			
COMPETING PROGRAMS	TV HOUSEHOLDS						WOMEN 18+			WOMEN 18-34			WOMEN 18-49			WOMEN 25-54			WOMEN 55+							
	RTG	SHR	RTG IDX				SHR IDX	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH				
BINGHAMTON M-F 9:00A 20T/C TSA(000)	WBNG	12 C		37S/S 8 45 145 201 18				7 46 82 15			5 52 18 3			4 45 30 5			5 38 29 5			11 54 50 9						
REGIS KATHIE MARSHA WRFLD>	WMGC* WICZ*	34 A 40 N	CBS THIS MRN GD MORN AMER TODAY SHOW	7 38 2 13 1				6 45 86 3 17 100 1			3 41 14 1 13 25 3			3 34 21 1 14 25 2			3 29 21 2 17 50 2			11 59 64 4 18 50						
BIRMINGHAM M-F 11:00A 20T/C TSA(000)	WBRC	06 A		26S/S 5 21 78 94 30				3 21 82 25			2 12 14 4			2 14 26 8			2 14 22 7			7 29 54 17						
YNG-RESTLESS GENERATIONS > PERRY MASON	WBMG* WVTM WTTO*	42 C 13 N 21 I	ALL MY CHIL> PRCE IS RGH> THE JEFERSN> LAVRN-SHIRL>	8 36 5 21 4 16 3 11				7 43 98 5 28 108 3 18 95 2 9 67			5 39 29 5 34 33 3 19 25 1 6 13			6 44 49 4 28 54 3 20 45 2 12 40			5 41 41 3 24 38 3 25 50 2 14 40			10 43 45 6 25 46 3 14 35 2 7 27						
BLFLD-BKLY-OAK H M-F 10:00A 19T/C TSA(000)	WOAY	04 A		19S/S 3 17 43 76 5				2 17 73 4			3 23 29 2			2 22 45 2			1 16 28 2			2 13 26 1						
CLSC CNCNTRN>	WVVA	06 N	REGIS KATHI> VARIOUS	5 24 3 23				4 29 100 3 28 83			4 24 22 3 26 33			4 29 56 2 28 50			3 31 44 1 24 17			6 29 44 4 27 33						
BOISE M-F 9:00A 20T/C TSA(000)	KTVB	07 N		27S/S 5 31 93 138 11				7 44 113 12			4 24 30 3			4 30 46 5			4 36 44 5			16 59 65 7						
PRCE IS RGH HOME 1 > VARIOUS	KBCI KIVI KTRV	02 C 06 A 12 F	WHL FRTNE DY GD MORN AMER MUPPET BAB-S	5 25 6 31 1 8 1 5				4 29 89 4 24 70 1 7 67 1 4 50			4 23 33 4 28 30 3 1 7 50			4 30 56 3 24 40 1 8 33 1 7 50			3 24 44 3 33 40 1 9 33 1 6 50			6 30 33 6 23 30 2 7 33						
BOSTON M-F 4:00P 20T/C TSA(000)	WCVB	05 A		20S/S 9 24 152 107 201				8 31 92 187			4 29 18 38			5 31 38 77			6 32 36 73			12 31 49 100						
INSIDE EDITN> 3RD DEGREE > POLICE ACDMY>	WHDH WBZ WLVI*	07 C 04 N 56 I	GEN HOSPITAL GUIDING LGHT SANTA BARBRA REAL GHSTBST	8 26 6 16 4 12 3 9				7 32 98 4 18 80 3 14 84 2 16			8 38 36 2 10 10 1 9 13 1 5 9			7 36 54 2 14 27 1 7 17 1 4 13			6 33 45 3 15 27 1 7 17 2 5			8 28 38 8 21 52 8 20 63 3						
BOSTON M-F 10:00A 19T/C TSA(000)	WMUR	09 A		2S/S 1 3 4 6				45 3			1 19 1			1 28 2			16 1			17 1						
GERALDO > WHL FRTNE DY> HOUSE PARTY	WCVB WHDH WBZ	05 A 07 C 04 N	GERALDO > GOOD DAY > VARIOUS JOAN RIVERS>	5 26 3 15 2 11				4 27 83 2 14 77 2 12 88			3 30 23 1 6 8 4 8			3 29 36 1 5 13 1 9 25			3 28 30 1 6 11 1 11 29			6 25 43 5 21 64 3 14 60						
BOWLING GREEN M-F 9:00A 19T/C TSA(000)	WBKO	13 A		43S/S 10 47 167 210 7				8 49 90 7			6 50 26 2			7 56 41 3			9 61 45 3			12 44 43 3						
DRM JEANNIE > SCOTT ROSS >	WGRB* WQGB*	34 I 40 I	GD MORN AME> VARIOUS VARIOUS	11 62				9 69 88			6 55 25			6 63 38			8 66 38			14 73 50						
BRTL-KP-JN C: TC M-F 9:00A 20T/C TSA(000)	WCYB	05 N		30S/S 7 40 128 179 23				7 45 92 21			6 39 27 6			6 43 52 12			6 44 47 11			8 50 35 8						
REGIS KATHIE SUCCESS LIFE DENVR DNSAUR>	WJHL WKPT* WEMT*	11 C 19 A 39 F	TODAY SHOW CBS THIS MRN GD MORN AMER FLINTSTONES	8 41 4 23 2 2				6 48 87 4 28 100 3 100 1 67			5 58 26 3 23 31 1 4 50 2 67			6 55 48 4 26 62 1 4 100 1 67			6 55 48 4 31 62 2 50 1			8 41 35 5 29 38 1						
BUFFALO M-F 9:00A 20T/C TSA(000)	WGRZ	02 N		20S/S 7 34 119 152 43				6 36 89 39			5 36 23 10			4 34 34 15			4 33 32 14			9 36 46 20						
REGIS KATHIE LAVRN-SHIRLY> EVRYDY LUNDN>	WKBW WNYB* WIVB	07 A 49 F 04 C	TODAY SHOW GD MORN AMER POLICE ACDMY CBS THIS MRN	4 23 7 34 1 3 1 3				3 26 76 7 42 102 2 50 2 67			2 22 16 3 25 16 4 25 2 33			1 19 20 4 31 32 4 50 1 33			2 18 20 4 35 34 4 50 1 33			6 33 56 11 49 61 1 3 67						
BRLNGTN-PLTSBRGH M-F 9:00A 20T/C TSA(000)	WPTZ	05 N		18S/S 3 21 50 94 9				3 25 97 8			1 13 14 1			2 20 38 3			2 24 41 4			5 31 54 5						
REGIS KATHIE 700 CLB RBSN STAIN A RATR>	WCAX WNNE* WVNY*	03 C 31 N 22 A	TODAY SHOW CBS THIS MRN TODAY SHOW GD MORN AMER	3 15 5 35 1				2 20 88 5 42 94 1 100 1			1 10 13 4 47 31 3 1			1 15 25 3 37 50 3 100 1			1 16 25 3 31 38 1 1			5 23 63 8 49 44						
BUTTE M-F 3:00P 20T/C TSA(000)	KXLF	04 C		34S/S 8 34 138 152 5				7 36 76 3			5 20 19 1			4 22 29 1			3 22 18 1			12 60 42 2						
DAYS LIVES	KTVM	06 N	LIFE TO LIVE ANOTHER WRLD	3 21 7 30				4 30 100 7 39 100			7 37 50 14 62 100			5 33 100 11 59 100			1 12 67			4 26 50 1 6						

Multi-Stage

SYNDICATED PROGRAM ANALYSIS												(CONTINUED)												DONAHUE			
ADI																								LEAD OUT PROGRAM TITLE		LEAD OUT ADI TV HH	
MEN 18+			MEN 18-34			MEN 18-49			MEN 25-54			MEN 55+			TEENS 12-17			CHILDREN 2-11			CHILDREN 6-11						
RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR		
3 54 35 6			2 59 6 1			2 62 15 3			2 71 13 2			6 47 17 3						1 10 2									
3 47 50 1 11 25 1			1 38 7			1 45 14 3 1			1 41 14 4 3			8 48 29 2 17 25						5 1 1 9			5 9			FAMILY FEUD JOAN RIVERS 227 DAYTIME	7 53 1 8 3		
2 28 39 12			1 18 5 2			1 20 10 3			1 23 13 4			5 35 25 8						3 1			8						
2 25 20 1 8 13 1 12 20 1 15 40			4 2 9 4 27 10 10 7			1 18 6 8 4 23 15 10 13			1 22 6 1 11 8 24 15 8 7			4 31 12 1 7 4 2 3 21 27			15 15 15 1 21 7			1 9 2 7 4 5 5 4			1 62 2 36 25 29			NEWS AT NOON THE JUDGE VARIOUS I LOVE LUCY	13 43 2 7 6 19 4 12		
1 11 26 1			1 31 16 1			1 18 19 1			1 18 16 1			1 5 6			1 26 4			1 11 7									
1 20 22 1 25 33			1 35 11 1 30 17			1 23 22 1 25 17			1 20 11 1 20 17			2 20 11 3 26 17			1 24 8			1 8 11 1 13 17			1 10 1 28 17			HOME 1 GLDN GRLS DY	2 15 3 17		
1 10 12 1			11 6 1			13 8 1			8 5 1			1 8 4															
1 20 33 3 46 50 5			1 20 11 4 78 30 3			1 20 11 2 73 30 3			19 11 2 70 20 5			4 20 22 4 26 10 1 6						1 6 10 2			6 45			227 DAYTIME YNG-RESTLESS REGIS KATHIE 3RD DEGREE	2 14 6 39 2 11 1 3		
4 27 41 84			1 20 6 13			2 28 17 35			3 35 20 41			7 24 20 41			3 12 7 15			1 1 3			1						
2 20 19 3 20 51 2 12 39 2			1 13 4 1 14 6 1 8 5 1 7 7			1 12 6 1 14 14 1 9 11 4 7			1 19 7 1 11 12 1 8 10 1 3			4 24 11 8 26 34 5 16 27 1 3			6 19 15 1 4 4 3 10 15 4 17 29			1 5 3 1 1 1 3 11 38 111			1 5 2 1 1 1 2 3 11 46 74			OPRAH WINFREY NEWS 7 FIVE PEOPLES CRT BRADY BUNCH	11 26 6 15 9 21 3 6		
1 2 25 27 1 21 41 5 15			9 1 23 7 7 3 3 2			2 1 24 12 8 9 2 2			6 1 29 16 1 10 11 3 4			3 2 23 11 4 36 28 1 7 10			1 3 5 1 3 2			3 2 5 6 3 4			5 1 1 2 1			HOME 1 SALLY J RPHL PRCE IS RGHT CLSC CNCNTRN	5 2 5 22 5 22 3 14		
3 47 22 2			1 43 3			1 45 5			1 41 6			8 48 15 1			12 4			2 27 4									
4 76 38			2 81 13			2 70 13			2 67 13			13 80 25			1 33			1 10						HOME 1 J SWAGGR DLY SCOTT ROSS	7 35		
2 40 31 7			2 47 10 2			2 38 14 3			2 41 14 3			4 40 14 3						8 2 1			16 8 6			227 DAYTIME FAMILY FEUD GERALDO 700 CLB RBSN	4 24 4 24 2 16 1		
3 43 43 1 20 38 2 33			1 38 4			1 18 15			1 21 15			2 23 23			10			1 22 167			14						
3 42 37 16			2 44 8 4			2 48 16 7			2 46 11 5			5 39 20 9						3 1 1			9 3			SALLY J RPHL AM BUFFALO WIN-LSE-DR-S FAMILY FEUD	7 36 4 20 1 3 14		
1 22 22 2			7 1			22 9 1			1 23 10 1			2 24 12 1			13 2			5 4			4			JOAN RIVERS FAMILY FEUD LOVE CNCTN PEOPLES CRT	2 15 5 37 1 3		
1 18 38 1 33 19 2 2 100			10 1 43 6 100			1 31 25 1 34 6 100			1 24 13 1 30 6 100			2 13 13 2 35 6 3			13 2 79 6			1 6 4 6			4						
2 33 29 1			5 4			1 12 7			1 16 9			7 58 20 1			1 7 1			2 1						JEOPARDY FAMLY TIES-S	16 58 4 13		
1 17 50 2 27 33			3 56 33			2 48 33			2 31			2 28 1 9			4 47			1 5			1 7						

ADI Program Totals

SYNDICATED PROGRAM ANALYSIS

MARKET NAME SIGN ON/SIGN OFF SHARE DAY/TIME/TELECASTS TSA (000)	CALL LETTERS	CH NO AFFIL	LEAD-IN PROGRAM TITLE	ADI															
				TV HOUSEHOLDS				WOMEN 18+			WOMEN 18-34			WOMEN 18-49			WOMEN 25-54		
				RTG	SHR	RTG IDX	SHR IDX	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH
CASPER-RIVERTON M-F 9:00A 20T/C TSA(000)	KTWO+	02 N		22S/S															
				4 22 72 98				3 24 58			1 11 6			2 17 20			3 21 26		8 34 31
PRCE IS RIGHT HOME 1 >	KGWCA KFNB*	14 C 20 A	TODAY SHOW WHL FRTNE DY GD MORN AMER	4 22 6 33 1 5				3 26 75 5 36 60 1 10			1 15 2 21 20 3 30			2 22 25 3 29 20 2 18			3 23 50 4 35 20 3		7 32 25 11 47 40
CED RAP-WATR-DUB M-F 3:00P 20T/C TSA(000)	KCRG	09 A		19S/S															
				4 24 69 107				4 32 89			2 17 18			3 28 42			3 36 40		6 38 43
SANTA BARBRA> WOODY WDPCKR> THE JUDGE >	KWWL KGAN KDUB*	07 N 02 C 40 A	GEN HOSPITAL SANTA BARBRA GUIDING LGHT GEN HOSPITAL	5 29 3 20 3 17 1				4 32 89 3 24 82 1 7 30 1			6 45 50 4 40 45 1 10 10 1			4 36 56 3 33 55 1 8 10 1			5 40 50 2 27 36 1 8 10 1		4 24 28 2 16 18 1 5 10 1
CHARLESTON, SC M-F 9:00A 20T/C TSA(000)	WCBD	02 A		22S/S															
				5 26 93 116				4 28 82			3 24 24			3 26 41			4 28 40		8 35 39
SANFORD-SON > JOAN RIVERS INSIDE RPRT >	WCSC WCIV WTAT*	05 C 04 N 24 F	GD MORN AMER CBS THIS MRN TODAY SHOW BEWITCHED	5 25 6 27 4 21 1 6				4 28 82 4 28 75 4 23 80 1 4 67			2 23 18 3 20 25 2 15 20 1 8 33			3 24 45 3 22 38 3 20 40 1 7 67			3 23 45 4 28 38 3 20 40 1 5 33		7 38 36 7 31 31 6 25 30
CHRLSTN-HNTNGTON M-F 9:00A 20T/C TSA(000)	WONK	13 C		13S/S															
				4 16 62 71				3 17 84			2 10 15			2 13 33			3 19 43		4 20 38
REGIS KATHIE TALK ABOUT > BRADY BUNCH >	WCBS WSAZ WVAH	08 A 03 N 11 F	CBS THIS MRN GD MORN AMER TODAY SHOW MAXIES WORLD	1 4 5 20 4 16 2 7				1 4 80 4 24 93 3 17 83 1 6 60			2 20 31 4 25 31 1 8 9 2 15 50			4 3 40 4 24 52 2 13 30 2 10 60			1 4 40 4 23 41 2 12 26 1 7 40		1 5 60 5 23 38 5 27 48 2
CHARLOTTE M-F 9:00A 20T/C TSA(000)	WSOC	09 A		26S/S															
				6 40 98 179				5 44 85			4 50 26			4 49 46			4 50 40		6 35 33
JOAN RIVERS 3RD DEGREE > HAVE GUN >	WBTV WCNC* WJZY*	03 C 36 N 46 I	GD MORN AMER CBS THIS MRN TODAY SHOW FLINTSTONES	7 45 3 24 1 5 2				6 49 81 3 28 96 4 67 1 67			4 52 22 1 17 21 6 17 1			4 51 37 2 19 36 3 17 2 33			4 49 35 1 19 32 4 17 2 33		10 49 41 7 40 61 1 5 33 1 33
CHARLOTTEVILLE M-F 9:00A 20T/C TSA(000)	WVIR*	29 N		32S/S															
				5 41 83 183				4 40 111			1 13 17			2 29 56			3 45 48		8 46 49
			TODAY SHOW	4 5 40				4 4 56 100			1 15			2 2 45 50			3 3 59 50		11 61 50
CHATTANOOGA M-F 4:00P 20T/C TSA(000)	WTVC	09 A		24S/S															
				8 25 140 112				7 34 93			7 35 29			6 37 51			6 37 43		10 32 37
GRWNG PAIN-S> GERALDO MUPPET BAB-S>	WRCB WDEF WDSI*	03 N 12 C 61 F	GEN HOSPITAL SANTA BARBRA GUIDING LGHT ALVN CHPMK-S	10 40 7 23 5 17 2 6				9 45 94 4 20 57 4 19 78 2 17			12 55 39 7 35 35 2 10 17 1 4 17			10 51 67 5 30 43 2 14 28 3 17			10 54 56 4 24 30 2 14 22 2 17		7 35 25 3 9 13 8 27 44 1
CHICAGO M-F 10:00A 20T/C TSA(000)	WFLD*	32 F		8S/S															
				2 7 31 31				1 8 83			1 5 14			1 6 33			1 6 30		3 10 46
HOME 1 > GLDN GRLS DY> PRCE IS RIGHT	WLS WMAQ WBBM	07 A 05 N 02 C	SIMON-SIMN-S OPRAH WINERY CLSC CNCNTRN WHL FRTNE DY	1 4 7 28 4 17 4 16				48 2 47 6 33 91 4 20 89 3 18 83			8 1 3 21 5 35 28 4 25 31 1 10 14			19 1 3 38 5 36 50 3 23 52 2 13 32			17 1 3 32 5 32 41 3 19 40 2 15 34		27 3 9 33 39 5 17 34 6 21 45
CHICO-REDDING M-F 9:00A> 20T/C TSA(000)	KRCR	07 A		20S/S															
				3 17 57 76				2 17 73			7			1 8 22			1 11 25		5 27 47
M-F 9:00A> 20T/C TSA(000)	KRCR+	07 A	GD MORN AME>	7 38 3 17 57 76				6 46 86 2 17 73			3 32 14 7			3 39 36 1 8 22			4 41 36 1 11 25		11 53 50 5 27 47
REGIS KATHIE WHL FRTNE DY>	KCPM* KHSL	24 N 12 C	GD MORN AME> TODAY SHOW > CBS THIS MR>	7 38 4 18 3 15				6 46 86 4 27 120 3 17 82			3 32 14 3 23 20 1 8 18			3 39 36 4 30 60 1 10 36			4 41 36 4 35 60 2 13 36		11 53 50 4 19 40 5 26 45
CINCINNATI M-F 9:00A 20T/C TSA(000)	WLWT	05 N		23S/S															
				6 32 103 143				5 35 92			2 29 16			3 31 34			4 32 36		10 38 52
REGIS KATHIE HOME 1 > SILVR SPNS-S>	WCPO WKRC WXIX*	09 C 12 A 19 F	TODAY SHOW CBS THIS MRN GD MORN AMER ALVN CHPMK-S	4 19 5 28 2 11 1 7				3 22 88 5 33 98 2 13 94 1 4 45			1 16 15 3 32 18 1 13 19 1 9 18			2 19 35 3 32 38 1 12 38 1 6 27			2 22 38 4 31 40 2 14 44 4 18		5 23 46 9 36 55 3 12 44 1 3 18
CLARKSBURG-WESTON M-F 9:00A 20T/C TSA(000)	WDTV	05 C		26S/S															
				7 31 124 138				6 33 87			5 30 26			5 32 38			5 28 33		9 39 48
HOME 1 > A NEW DAY >	WBOY WLYJ*	12 N 46 I	CBS THIS MRN TODAY SHOW J SWAGGR DLY	4 20 4 16				4 22 83 3 18 80			1 11 17 4 26 40			2 19 33 4 23 60			2 20 33 3 18 40		6 25 50 3 13 20

ADI Program Totals

SYNDICATED PROGRAM ANALYSIS																					(CONTINUED)			DONAHUE		
ADI																					LEAD OUT PROGRAM TITLE			LEAD OUT ADI TV HH		
MEN 18+			MEN 18-34			MEN 18-49			MEN 25-54			MEN 55+			TEENS 12-17			CHILDREN 2-11			CHILDREN 6-11			RTG	SHR	
RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH			
2 27 53	2 26 50	3 42 40	1 19 8	2 39 20	2 40 20	1 17 18	1 10 25	2 26 25	2 29 20	4 25 28	4 35 25	8 54 40	12	2	4	58 10	2 37	58 10	2 37	58 10	2 37	58 10	2 37	58 10	2 37	58 10
1 16 17	1 16 11	1 18 27	1 20 11	1 15 6	1 19 9	1 18 12	1 16 6	1 17 6	1 12 4	1 12 4	1 18 6	1 26 9	1 9 3	2 1	3 1	2 1	3 1	2 1	3 1	2 1	3 1	2 1	3 1	2 1	3 1	
1 16 11	1 18 27	5 10	1 20 11	1 15 6	1 19 9	1 18 12	1 16 6	1 17 6	1 12 4	1 12 4	1 18 6	1 26 9	1 9 3	2 1	3 1	2 1	3 1	2 1	3 1	2 1	3 1	2 1	3 1	2 1	3 1	
2 22 28	2 23 36	2 33 44	1 18 9	1 26 13	2 32 25	1 17 9	1 14 9	1 14 9	6 42 19	6 42 19	5 43 18	4 31 13	23	2 25 13	1 11 6	12 1	12 1	1 11 6	12 1	12 1	1 11 6	12 1	12 1	1 11 6	12 1	
2 22 28	2 23 36	2 33 44	1 18 9	1 26 13	2 32 25	1 17 9	1 14 9	1 14 9	6 42 19	6 42 19	5 43 18	4 31 13	23	2 25 13	1 11 6	12 1	12 1	1 11 6	12 1	12 1	1 11 6	12 1	12 1	1 11 6	12 1	
1 18 35	1 16 24	1 19 39	1 11 3	1 5 3	1 12 10	1 16 12	1 12 10	1 13 7	3 21 19	3 21 19	1 6 20	3 19 14	4	1 10 10	1 5 4	3 3	3 3	1 10 10	1 5 4	3 3	3 3	1 10 10	1 5 4	3 3	3 3	
1 18 35	1 16 24	1 19 39	1 11 3	1 5 3	1 12 10	1 16 12	1 12 10	1 13 7	3 21 19	3 21 19	1 6 20	3 19 14	4	1 10 10	1 5 4	3 3	3 3	1 10 10	1 5 4	3 3	3 3	1 10 10	1 5 4	3 3	3 3	
2 43 33	3 41 37	1 20 29	1 38 7	1 29 6	1 26 14	1 37 11	1 26 14	1 24 14	5 45 16	5 45 16	8 48 26	1 13 7	52 2	3 2	2 2	15 19	8	3 2	2 2	15 19	8	3 2	2 2	15 19	8	
2 43 33	3 41 37	1 20 29	1 38 7	1 29 6	1 26 14	1 37 11	1 26 14	1 24 14	5 45 16	5 45 16	8 48 26	1 13 7	52 2	3 2	2 2	15 19	8	3 2	2 2	15 19	8	3 2	2 2	15 19	8	
1 43 27	2 55 50	1 22	1 8 1	1 25 5	1 27 4	1 25 5	1 27 4	5 63 21	5 63 21	5 63 21	8 79 50	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
1 43 27	2 55 50	1 22	1 8 1	1 25 5	1 27 4	1 25 5	1 27 4	5 63 21	5 63 21	5 63 21	8 79 50	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
2 20 25	2 32 19	2 15 22	2 27 8	2 28 3	2 19 13	2 20 11	2 37 8	2 15 9	5 21 13	5 21 13	3 28 11	2 9 9	2 11 6	6 45 11	5 21 26	7 32 22	8	6 45 11	5 21 26	7 32 22	8	6 45 11	5 21 26	7 32 22	8	
2 20 25	2 32 19	2 15 22	2 27 8	2 28 3	2 19 13	2 20 11	2 37 8	2 15 9	5 21 13	5 21 13	3 28 11	2 9 9	2 11 6	6 45 11	5 21 26	7 32 22	8	6 45 11	5 21 26	7 32 22	8	6 45 11	5 21 26	7 32 22	8	
6 25	3 24	1 16 27	6 6	6 12	7 4 18	6 6	7 4 18	7 4 15	1 6 11	1 6 11	4 23 11	3 18 14	3	1 9 9	1 10 7	1 25 3	3	1 6 11	1 6 11	4 23 11	3 18 14	3	1 9 9	1 10 7	1 25 3	3
6 25	3 24	1 16 27	6 6	6 12	7 4 18	6 6	7 4 18	7 4 15	1 6 11	1 6 11	4 23 11	3 18 14	3	1 9 9	1 10 7	1 25 3	3	1 6 11	1 6 11	4 23 11	3 18 14	3	1 9 9	1 10 7	1 25 3	3
2 25 52	4 41 50	2 25 52	6 4	1 30 7	2 43 14	2 25 18	1 25 18	1 27 21	4 25 30	4 25 30	9 39 29	4 25 30	1 21 2	2 1	1 8 7	1 33 7	2	4 25 30	9 39 29	4 25 30	9 39 29	4 25 30	9 39 29	4 25 30	9 39 29	
2 25 52	4 41 50	2 25 52	6 4	1 30 7	2 43 14	2 25 18	1 25 18	1 27 21	4 25 30	4 25 30	9 39 29	4 25 30	1 21 2	2 1	1 8 7	1 33 7	2	4 25 30	9 39 29	4 25 30	9 39 29	4 25 30	9 39 29	4 25 30	9 39 29	
4 41 50	1 17 40	2 23 36	1 30 7	2 43 14	2 49 21	2 43 14	2 49 21	9 39 29	9 39 29	9 39 29	2 14 20	5 32 27	4	1 7 20	4 18	1 33 7	7	9 39 29	2 14 20	5 32 27	4	1 7 20	4 18	1 33 7	7	
2 32 29	2 23 38	2 32 33	1 29 4	1 40 8	1 30 13	1 25 8	1 18 12	1 20 12	5 35 18	5 35 18	4 25 27	5 33 20	1 38 3	17 4	1 5 8	1 9 8	2	5 35 18	4 25 27	5 33 20	1 38 3	17 4	1 5 8	1 9 8	2	
2 32 33	6 13	1 9 36	1 34 8	6 6	6 6	1 30 13	1 18 12	1 20 12	5 35 18	5 35 18	4 25 27	5 33 20	1 38 3	17 4	1 5 8	1 9 8	2	1 34 8	6 6	6 6	1 30 13	1 18 12	1 20 12	5 33 20	1 38 3	
3 37 48	2 24 50	1 9 20	2 31 11	1 32 3	1 10	2 34 18	2 22 17	1 13 17	6 47 29	6 47 29	5 26 33	1 9	36	4	1 11 4	6	4	2 34 18	2 22 17	1 13 17	6 47 29	5 26 33	1 9	36	4	
3 37 48	2 24 50	1 9 20	2 31 11	1 32 3	1 10	2 34 18	2 22 17	1 13 17	6 47 29	6 47 29	5 26 33	1 9	36	4	1 11 4	6	4	2 34 18	2 22 17	1 13 17	6 47 29	5 26 33	1 9	36	4	

ADI Program Totals

SYNDICATED PROGRAM ANALYSIS

DONAHUE						SYNDICATED PROGRAM ANALYSIS																			
MARKET NAME SIGN ON/SIGN OFF SHARE DAY/TIME/TELECASTS TSA (000)				CALL LETTERS	CH NO AFFIL	LEAD-IN PROGRAM TITLE	ADI																		
COMPETING PROGRAMS							TV HOUSEHOLDS				WOMEN 18+			WOMEN 18-34			WOMEN 18-49			WOMEN 25-54			WOMEN 55+		
							RTG	SHR	RTG IDX	SHR IDX	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH
CLEVELAND M-F 5:00P 20T/C TSA(000)				WJW	08 C	BENSON-S	22S/S 10 23 164 103 143				8 27 86 124			7 31 24 35			7 28 44 63			7 28 41 60			10 26 36 52		
EYWTN NEWS 5 NW LEAVE BVR> FIRST REPORT				WEWS WUAB* WKYC	05 A 43 I 03 N	OPRAH WINFRY TNAGE TURLT CURRENT AFFR	3 7 10 24 5 12 5 11				1 4 45 8 26 81 2 6 37 3 11 72			1 5 16 3 15 11 3 15 23 1 3 6			1 4 21 4 18 27 3 10 32 2 8 25			1 4 18 5 21 30 2 7 20 2 9 27			2 5 24 14 35 48 1 2 5 6 15 43		
COLO SPGS-PUEBLO M-F 4:00P 20T/C TSA(000)				KKTV	11 C	OPRAH WINFRY TNAGE TURLT MILN \$ MOVIE GERALDO	24S/S 8 28 143 125 22				8 39 90 19			4 25 15 3			5 34 40 9			6 37 38 8			14 46 46 10		
DUCK TALES > HWY HEAVEN ENTRNTMT TON>				KXRM* KRDO KOAA	21 F 13 A 05 N		8 35 6 19 4 14 3 11				8 53 95 2 10 31 4 20 82 2 11 63			7 52 27 2 11 15 4 27 36 2 11 25			6 50 50 1 8 15 4 24 55 1 8 25			6 45 41 1 7 8 3 19 36 2 10 25			14 59 41 4 13 23 4 14 27 4 14 38		
COLUMBIA, SC M-F 9:00A 20T/C TSA(000)				WLTX*	19 C		18S/S 5 28 86 125 15				4 31 90 14			4 29 29 5			4 36 59 9			4 30 47 7			5 26 27 4		
JOAN RIVERS LAVRN-SHIRLY> REGIS KATHIE				WIS WACH* WOLO*	10 N 57 F 25 A	CBS THIS MRN TODAY SHOW WOODY WOPCKR GD MORN AMER	1 6 5 30 2 13 2 10				1 8 75 4 29 84 1 10 71 1 10 83			5 25 2 16 16 3 23 57 2 15 33			3 5 25 3 22 37 2 15 57 2 14 67			1 7 50 3 23 37 2 14 57 2 14 67			2 8 25 9 45 47 5 23 36 1 5 17		
CLMBIA-JFRSON CY M-F 4:00P 20T/C TSA(000)				KRCG	13 C	OPRAH WINFRY WHO BOSS-S EVRYDY LUNDN JETSONS	30S/S 6 26 107 116 10				5 36 96 10			2 26 12 1			3 29 31 3			3 26 26 3			10 43 60 6		
NGHT COURT-S> NEWHART-S > VARIOUS				KOMU KMIZ* KNLJ*	08 N 17 A 25 I		7 37 8 35 1 3 2				7 57 109 5 35 71 3 100 2			4 53 18 4 52 21 5 5			5 57 45 5 49 36 4 4			5 50 36 5 49 29 4 4			10 56 55 5 23 36 1 3		
COLUMBUS, GA M-F 9:00A 20T/C TSA(000)				WTVN	09 A	GD MORN AMER CBS THIS MRN TODAY SHOW POLICE ACDMY	33S/S 9 46 153 205 19				9 51 99 19			5 34 18 4			7 47 51 10			8 51 47 9			13 60 45 9		
PEOPLES CRT > REGIS KATHIE SUCCESS LIFE				WRBL WLTZ* WXTX*	03 C 38 N 54 F		9 42 4 22 2 8 1				8 48 90 4 23 90 1 7 100 1			2 17 14 4 28 30 1 4 33 1			4 32 38 3 21 50 1 7 67 1			5 40 38 3 17 40 1 9 67 1			15 68 48 5 24 40 1 5 33		
COLUMBUS, OH M-F 9:00A 20T/C TSA(000)				WCMH	04 N	TODAY SHOW CBS THIS MRN GD MORN AMER C O P S	24S/S 7 42 116 188 52				5 43 80 42			3 29 18 9			4 42 42 22			4 42 40 21			8 44 31 16		
FAMILY FEUD > INSIDE RPRT > VARIOUS				WBNS WSYX WTTE*	10 C 06 A 28 F		4 24 3 20 2 10 1 3				3 30 83 3 25 96 1 11 92 1			1 10 7 2 25 28 1 7 15 2			2 24 30 2 23 48 1 8 38 1			2 25 33 2 23 40 1 11 38 1			7 38 47 5 27 44 3 14 46		
COLUMBUS-TUPELO M-F 9:00A> 19T/C TSA(000)				WTVN	09 N	TODAY SHOW > VARIOUS GD MORN AME>	39S/S 10 42 174 188 19				7 38 74 14			5 34 20 4			5 36 32 6			5 41 31 6			11 40 37 7		
WHL FRITNE DY> EVRYDY LUNDN				WCBT WVSB*	04 C 27 A		10 45 9 38 2				8 48 84 8 41 89 3 100			2 24 11 7 45 28 1			4 37 26 6 46 44 3 100			6 43 32 6 45 33 2			15 58 53 10 35 39 1 3		
CORPUS CHRISTI M-F 10:30A> 18T/C TSA(000)				KIII	03 A	GERALDO > PRCE IS RGHT EXTR RETORNO GLDN GRLS D>	26S/S 6 24 105 107 11				5 23 88 10			4 18 27 3			5 23 55 6			4 24 42 5			6 21 28 3		
YNG-RESTLESS> QUINCEANERA > GENERATIONS >				KZTV KORO* KRIS	10 C 28 I 06 N		9 35 13 48 2 6 2				7 34 87 11 51 95 2 9 133 1 5 67			7 32 33 12 53 41 3 11 67 1 5 33			7 37 60 10 51 59 2 9 67 1 6 33			6 38 47 8 50 41 1 7 33 1 5 33			8 29 27 15 52 36 3 10 33 1 4		
DALLAS-FT WORTH M-F 9:00A> 19T/C TSA(000)				WFAA	08 A	GD MORN AME> VARIOUS VARIOUS TODAY SHOW >	23S/S 7 29 128 129 132				6 34 84 111			3 25 17 23			4 30 37 49			5 35 39 52			10 35 39 52		
WHL FRITNE DY> WHT HAPPNING> SANTA BARBRA				KDFW KTVT KXAS	04 C 11 I 05 N		7 28 5 18 3 11 2 10				6 35 87 4 23 89 1 4 33 2 10 75			3 26 15 3 19 21 2 12 25 2 15 30			4 33 37 2 17 33 1 8 31 2 14 50			5 36 43 2 14 25 1 8 25 2 12 41			10 35 41 9 32 56 1 2 2 6 23		
DVPT-R1-MO: QD C M-F 9:00A> 19T/C TSA(000)				KWQC	06 N	TODAY SHOW > GD MORN AME> VARIOUS ALVN CHPMK->	26S/S 5 28 86 125 17				4 28 74 12			3 28 18 3			3 28 30 5			3 27 28 5			6 31 42 7		
REGIS KATHIE WHL FRITNE DY> 700 CLB RBSN				WQAD WHBF KLJB*	08 A 04 C 18 I		4 23 4 23 3 18 2				3 27 77 3 26 85 3 22 91 2 100			3 36 23 3 30 23 2 19 18 1			2 27 31 3 31 46 2 16 27 3			2 26 31 3 33 46 2 18 27 4			5 30 46 4 20 38 5 25 55 1		
DAYTON M-F 9:00A 20T/C TSA(000)				WDTN	02 A	GD MORN AMER CBS THIS MRN TODAY SHOW MAXIES WORLD	23S/S 8 36 136 161 45				7 38 86 39			5 36 22 10			5 38 43 20			6 39 43 20			10 39 38 18		
NEWSCENTER > REGIS KATHIE HM SHP SPREE				WHIO WKEF* WRGT*	07 C 22 N 45 F		8 38 5 24 3 12 1 5				6 49 84 5 27 90 3 16 107 1 3 50			4 53 18 2 15 13 3 17 36 3 13			4 43 30 2 18 27 2 16 57 2 25			5 44 34 2 14 20 3 20 64 2 25			12 52 48 10 38 60 3 12 36 1 3 13		

Avi Frujdatt, IULIA

SYNDICATED PROGRAM ANALYSIS												(CONTINUED)												DONAHUE		
ADI																								LEAD OUT PROGRAM TITLE	LEAD OUT ADI TV HH	
MEN 18+			MEN 18-34			MEN 18-49			MEN 25-54			MEN 55+			TEENS 12-17			CHILDREN 2-11			CHILDREN 6-11				RTG	SHR
RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	
4	21	40	3	17	10	3	17	18	3	18	17	7	25	18	2	7	3	1	4	2	1	4	1	NWSNTR 8-6 EYWTN NEWS 6 FAMLY TIES-S CHNL 3 NWS 6	16	32
58			14			26			25			27			5			4		3					11	23
1	5	26		5	8		3	8		4	8		2	7	16	2	8	16		1	8		1		5	11
5	24	45	2	13	7	3	19	19	3	21	18	10	34	23		6	3		4	3		3	1		6	11
2	8	30	3	18	20	2	12	25	2	9	16			1	9	40	35	8	38	59	11	49	48			
3	13	55	2	9	12	2	11	27	2	11	22	5	16	24	1	5	6		2	4	1	2	3			
4	30	43	2	15	7	2	16	12	2	16	11	13	53	30	1	5	2	1	3	3	1	3	2	CBS EVE NEWS CHARLES N MF ABC WRLD NWS NBC NGHT NWS	11	27
9			2			3			2			7			1			1			1				4	10
2	28	23	1	20	5	1	18	9	1	15	9	7	48	14	1	6	5	1	5	5	1	6	5		8	20
2	15	31	3	27	23	2	23	31	2	22	23		1		7	41	31	14	49	100	15	51	62		8	20
2	14	36	2	17	18	2	16	27	1	11	18	3	11	9	2	9	9	1	4	9	1	2				
2	14	50	1	13	13	2	16	38	2	20	38	3	11	13		3			2		1	3		8	20	
2	30	43	2	39	20	2	33	26	2	31	27	3	22	10	1	34	4		6	3		18	1	FAMILY FEUD GENERATIONS NEWHART-S SALLY J RPHL	4	24
7			3			4			4			2			1										6	34
1	8	50		1		5	25		5	25		2	13	25					2			7			1	7
3	35	42	1	23	11	1	24	16	2	24	16	7	57	21				1	19	11					2	13
1	8	29	1	9	14	1	10	14	1	11	29			2	1	44	14	2	35	43		19				
	2	17				4	17		4	17					9			1	20	33						
2	27	38	1	13	7	1	10	8	1	14	11	7	52	23	3	9	7		1			1		MASH-S JEOPARDY ENTRTNMT TON DUCK TALES	5	15
4			1			1			1			2			1										13	38
1	34	18		19		14				11		4	58	18	1	9	9	8	36	36	12	47	29		4	10
3	31	43	2	30	14	3	41	21	2	28	14	3	25	21	21	70	43	1	2	100	1	3	100		2	6
	5	100	1	9		1	8	100	1	8	100			2	1	4		1	6	100	2	8	100			
3	40	30	2	44	7	2	39	14	2	35	9	6	44	15	1	99	3	1	17	4	1	78	2	KATE ALLIE-S FAMILY FEUD 227 DAYTIME I LOVE LUCY	4	23
6			1			3			2			3			1			1			1				6	36
3	31	29	1	21	5	1	28	10	1	29	5	8	32	19	1	63	5	1	21	5	1	45	5		2	12
2	23	40	1	21	10	1	22	20	2	30	20	3	19	10			10	1	21	10					1	4
1	8	33	1	14		7				3		1	9						15							
	2		6			3																				
3	49	33	2	51	11	2	46	15	1	38	8	6	52	18		35			5	1		7		SALLY J RPHL HOUSE PARTY REGIS KATHIE 700 CLB RBSN	6	39
17			6			8			4			10							1						1	8
1	27	37	1	32	10	1	30	17	1	28	13	3	27	20		7			1			1			3	22
1	20	32	1	29	16	1	25	20	1	22	12	2	15	12	48			1	14	12	17				2	
	9	31		3		5	15			5	8	2	13	23					3	8		8				
	2	25		3		2			1				1					1	11	50						
3	38	27	1	24	4	1	32	8	2	33	9	7	45	15		4		1	15	5	1	53	2	GLDN GRLS DY PRCE IS RIGHT HOME 1	7	31
5			1			2			2			3							1						11	44
3	41	32	1	16	5	2	35	11	2	38	11	6	46	16		2		2	19	11	1	50	5		1	4
3	44	33	1	31	6	2	38	11	2	46	11	6	44	17	3	73	6	4	47	22		7				
2	26	34	3	37	21	2	32	22	2	38	21	3	18	10					2					LOVING YNG-RESTLESS QUINCEANERA INSIDE EDITN	3	9
4			2			2			2			1							6						16	56
3	36	33	4	43	20	3	42	20	3	47	20	4	26	13								60			2	7
3	38	27	2	26	9	2	34	14	1	25	5	7	47	18	1	47		1	27	5					3	10
1	7	33	1	12	33	1	10	33	1	10	2		1	7		6	20		13							
	6		6			5													8							
2	23	27	1	19	6	2	25	15	2	28	13	4	20	11	1	46	2		3	1		17	1	HOME 1 PRCE IS RIGHT TJ HOOKER GLDN GRLS DY	6	24
37			9			20			18			15			3						1				6	23
2	21	27	1	16	5	1	23	14	2	25	15	4	18	10		24	2		2	2	1	24	2		2	8
2	24	45	1	17	9	1	14	14	1	17	13	6	33	28	2	27	4	2	12	29	1	26	4		3	14
1	9	27	1	12	12	1	16	27	1	14	17				1											
	4	14	1	8	9		5	9		3	5	1	3	5		6			1							
2	30	37	2	48	15	1	33	17	1	25	9	4	29	19				1	9	7				SALLY J RPHL HOME 1 PRCE IS RIGHT SUCESS LIFE	5	27
6			3			3			2			3							3						3	15
2	23	38	1	33	15	1	22	15	1	20	8	4	25	23								9			5	26
1	23	31	1	25	8	1	18	8	1	27	15	3	24	23				1	6	8	16					1
	15	27		6		6				8		3	21	18					6	9		12				
2	33	25	1	25	3	1	28	8	2	36	11	5	33	13		7		1	11	4		9		SALLY J RPHL FAMILY FEUD 227 DAYTIME MORNING MOV	7	38
11			2			4			5			6						2							6	29
3	48	39	1	35	5	2	43	11	2	53	14	8	49	25		44	2		1	5		3	2		1	4
3	40	50	1	19	3	1	36	17	2	31	17	7	46	33		15			2	3		7			1	3
	5	14		7		4	7			3	7	1	6	7					4	7		4				
	5	38	1	22	25	1	13	38	1	12	38				21				3	13						

ADI Program Totals

DONAHUE				SYNDICATED PROGRAM ANALYSIS																			
MARKET NAME SIGN ON/SIGN OFF SHARE DAY/TIME/TELECASTS TSA (000)	CALL LETTERS	CH NO AFFIL	LEAD-IN PROGRAM TITLE	ADI																			
				TV HOUSEHOLDS				WOMEN 18+			WOMEN 18-34			WOMEN 18-49			WOMEN 25-54			WOMEN 55+			
				RTG	SHR	RTG IDX	SHR IDX	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	
COMPETING PROGRAMS																							
DENVER M-F 3:00P 20T/C TSA(000)	KMGH	07 C	GUIDING LGHT SANTA BARBRA LIFE TO LIVE MAXIES WORLD	16S/S				3	21	75	3	15	25	2	16	40	2	18	35	6	37	32	
				4	17	71	76																
				46				35			12			18			16			15			
				3	14			2	17	80	2	16	33	2	16	53	2	18	50	3	21	23	
DAYS LIVES	KCNC	04 N		7	28			6	39	84	8	45	45	6	42	64	5	36	44	5	30	16	
COSBY SHOW-S>	KUSA	09 A		4	15			2	15	61	3	16	32	2	15	44	3	19	41	2	12	12	
WOODY WDPCKR>	KWGN	02 I		2	10			1	5	32	1	8	23	1	6	26	1	4	16	1	4	6	
DES MOINES M-F 9:00A> 19T/C TSA(000)	WOI	05 A	GD MORN AME> VARIOUS CBS THIS MR> DENIS ANIMT>	14S/S				4	38	99	2	22	16	3	30	39	3	34	35	7	46	55	
				4	33	76	147				3			7			6			10			
				3	18			3	24	100	5	10		1	16	30	2	21	30	5	31	60	
				3	24			3	25	92	3	38	38	3	27	46	2	21	31	4	23	46	
CLSC CNCNTRN> REGIS KATHIE 700 CLB RBSN	WHO KCCI KDSM*	13 N 08 C 17 F		2	16			2	16	89	1	8	11	1	8	22	1	10	33	4	23	67	
				3				4	100		5	50		1	8	100	1	9	100				
DETROIT M-F 10:00A> 19T/C TSA(000)	WXYZ	07 A	KELLY-COMP> GERALDO > REGIS KATHI> LITTLE HOUS>	22S/S				7	34	87	6	35	27	6	34	49	6	33	44	9	33	31	
				8	28	138	125				130			41			74			66			
				5	18			5	21	88	4	21	29	4	21	54	5	21	51	5	20	30	
				7	22			5	26	82	3	19	18	4	21	39	4	22	37	9	35	41	
JOAN RIVERS HOUSE PARTY PERRY MASON	WDIV WJBK WKBD*	04 N 02 C 50 F		3	9			1	7	53	1	4	9	1	5	21	1	5	23	2	9	26	
				2	8			2	9	79	1	4	10	1	8	42	1	8	40	3	11	35	
DOTHAN M-F 4:00P 20T/C TSA(000)	WDHN*	18 A	THE JUDGE HWY HEAVEN	13S/S				3	10	43	45	2	11	80	1	7	20	2	13	49	3	17	57
				3				2			1			1			2			2			
				3	12			2	10	67	1	9	33	1	10	33	1	10	33	2	9	33	
				7	27			5	27	64	6	41	29	5	37	43	5	35	43	4	15	14	
VARIOUS	WTVY	04 C																					
DULUTH-SUPERIOR M-F 4:00P 20T/C TSA(000)	KDLH	03 C	OPRAH WINFRY CHIP N DALE JOAN /GOOD	22S/S				9	27	155	121	9	35	94	4	17	12	3	20	21	4	25	22
				16				15			2			3			3			11			
				8	32			8	45	93	4	25	14	3	29	21	4	30	21	15	56	71	
				9	28			7	28	71	7	34	24	6	37	41	6	35	29	8	21	29	
COSBY SHOW-S> LOVE CNCTN >	KBJR WDIO+	06 N 10 A		5	16			4	18	89	4	17	22	2	14	22	1	7	11	8	21	56	
EL PASO M-F 9:00A 20T/C TSA(000)	KTSM	09 N	GLDN GRLS DY JOAN RIVERS GD MORN AMER NUESTRO CINE	20S/S				6	28	109	125	4	26	78	5	32	34	5	32	60	5	30	48
				15				12			5			9			7			3			
				6	28			4	30	85	3	36	31	4	34	54	3	27	38	5	25	23	
				5	24			4	26	92	3	22	31	3	22	46	3	19	31	8	33	38	
PRCE IS RGHT HOME 1 > EXTR RETORNO	KDBC KVIA+ KINT*	04 C 07 A 26 I		3	13			2	15	100	2	11	29	2	13	57	2	15	57	5	21	43	
				3	13			3	15	86	3	18	43	3	18	71	2	13	43	2	9	14	
ELMIRA M-F 5:00P 20T/C TSA(000)	WENY*	36 A	CHIP N DALE OPRAH WINFRY	13S/S				3	9	45	40	2	8	64	1	5	10	1	5	19	1	9	27
				2				1												1			
				2	8			2			3			2			3			1			
				5	17			4	20	80	5	29	40	5	27	60	4	25	40	4	15	20	
COSBY SHOW-S>	WETM*	18 N																					
ERIE M-F 5:00P 20T/C TSA(000)	WSEE*	35 C	OPRAH WINFRY BATMAN GERALDO CHIP N DALE	19S/S				10	29	176	129	9	37	95	5	28	16	6	31	34	7	37	36
				20				19			3			7			7			10			
				8	28			8	40	94	4	26	19	5	32	38	5	34	38	13	49	50	
				8	23			6	22	81	2	13	6	4	20	38	4	21	31	9	26	44	
PEOPLES CRT > WHO BOSS-S > JETSONS >	WICU WJET* WETG*	12 N 24 A 66 I		7	19			5	22	83	6	34	33	5	25	50	3	16	33	7	20	33	
				1	3			1	50		1	4		1	3	50			1				
EUGENE M-F 4:00P 20T/C TSA(000)	KVAL+	13 C	SALLY J RPHL HWY HEAVEN DAYS LIVES CHIP N DALE	26S/S				4	16	74	71	3	18	77	2	15	18	2	16	37	3	19	38
				8				6			2			3			3			3			
				6	22			5	27	83	3	24	25	4	27	42	4	27	42	7	28	33	
				6	24			6	33	93	5	38	36	6	40	57	5	36	43	7	25	29	
OPRAH WINFRY GERALDO REAL GHSTBST>	KEZI KMTR* KLSR*	09 A 16 N 25 F		3	11			2	10	57	2	11	14	2	12	29	2	14	29	2	7	29	
				2	9			2	25		1	5	25	1	4	25	1	5	25				
EUREKA M-F 4:00P 20T/C TSA(000)	KIEM	03 N	DAYS LIVES SALLY J RPHL	23S/S				4	18	76	80	4	24	87	3	22	24	3	25	41	2	19	28
				2				2			1			1			1			1			
				6	24			6	34	100	10	61	67	7	51	67	3	28	33	5	18	33	
				2	9			1	6		1	7		1	9		1	5		1	4		
MAGNUM PI-S	KVIQ	06 C																					
EVANSVILLE M-F 4:00P 20T/C TSA(000)	WEHT*	25 C	SALLY J RPHL JEOPARDY MAMAS FAMILY CHIP N DALE	20S/S				5	17	83	76	4	20	82	2	12	13	3	18	38	3	18	32
				14				11			2			5			4			6			
				4	14			3	18	70	1	17	10	2	19	30	2	22	30	4	17	40	
				9	30			7	38	88	4	29	16	5	33	40	6	36	40	10	39	40	
OPRAH WINFRY LITTLE HOUSE FLINTSTONES >	WFIE* WTVW WEVV*	14 N 07 A 44 F		7	23			5	26	80	6	47	30	5	31	45	4	25	35	6	24	35	
				3	10			1	4	25	1	7	13	1	7	25	1	7	25				
FARGO M-F 4:00P> 19T/C TSA(000)	WDAY	06 A	GERALDO >	13S/S				2	13	102	2	17	35	2	14	51	1	10	33	3	12	41	
				5				5			2			3			2			2			
				1	4			1	9	150	2	18	100	2	13	100	1	5	50	1	5	50	

ADI Program Totals

SYNDICATED PROGRAM ANALYSIS												(CONTINUED)												DONAHUE			
ADI																								LEAD OUT PROGRAM TITLE		LEAD OUT ADI TV HH	
MEN 18+			MEN 18-34			MEN 18-49			MEN 25-54			MEN 55+			TEENS 12-17			CHILDREN 2-11			CHILDREN 6-11						
RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR		
1 17 31 15			1 11 8 4			1 13 16 8			1 13 13 6			3 27 14 7			1 5 4 2			1 5 5 2			1 6 3 2						
2 19 23			1 20 9			1 20 16			1 18 11			2 17 5			6 34 16			1 11 8			1 7 3						
1 16 34			1 19 17			1 15 22			1 12 15			2 20 12			2 11 10			1 6 7			1 6 5						
1 8 26			1 10 13			1 11 23			1 13 19			1			1 8 10			4 26 61			3 26 32						
1 24 18 3			1 30 5 1			23 5 1			18 2			2 25 11 2						2									
1 22 30			1 27 10			19 10			18 10			3 23 20			1 23 10												
1 26 31			4			6			4			3 36 23						1 16 8			30						
1 16 22			22 11			18 11			3			2 17 22						2			9						
2			6			5			6			1															
3 30 31 46			2 34 9 15			2 26 14 22			2 24 11 17			5 34 14 22			26 1 2			2 1			2						
1 12 19			1 8 4			1 9 8			1 11 10			2 15 9			1 36 3			1 12 9			8 1						
2 19 26			1 11 4			1 14 10			1 17 10			4 27 15			21 1			1 5 4			10 2						
1 8 23			1 13 11			1 11 19			1 10 15			3 4			2			2 4			7 2						
1 11 40			4 4			1 8 17			1 8 15			3 16 23			4 2			1 2			5 2						
1 8 28 1			3 2			1 9 15			1 12 16 1			1 7 11			1 4 7			1 4 12			1 4 8						
1 13 33			4			1 8			1 15			2 15 33			2 12			1 6 33			1 9						
2 22 36			2 30 14			2 31 29			3 34 21			2 12 7			11 46 29			8 40 43			10 44 29						
4 27 37 6			1 11 2			1 15 6 1			2 21 9 1			9 34 28 4			1 3 1			1 3 2			2 1						
3 47 29			16			1 27 7			1 44 7			6 54 21			1 10 7			1		2							
4 28 35			1 17 6			2 31 12			2 31 12			7 27 18			8 42 18			8 28 29			8 41 18						
2 18 44			1 20 11			1 13 11			1 12 11			5 20 33			2 8 11			1		1							
2 24 28 4			1 21 9 1			1 25 16 2			2 29 15 2			2 17 7 1			4			1 11 6 1			8						
2 24 31			2 27 15			1 24 23			1 20 15			3 19 8			12			1 13 15									
3 38 54			2 39 23			2 33 23			1 28 15			6 44 23			1 26			2 37 23			5						
6 14			6			4			5			1 9 14						3									
4 14			1			4			4			1 6			1 47 14			2 25 29			44 14						
2 14 78 2			1 10 14			2 17 42 1			2 19 47 1			3 12 30 1						1		1 1							
4			1 9			1 7			6			2			2 11			7 20 150			11 34 100						
3 20 60			3 24 40			2 21 40			2 15 20			5 21 20			2 12 20			5 22 40			7 32 20						
5 26 38 8			2 18 6 1			3 21 16 3			3 22 15 3			10 32 19 4			1 6 2			1 4 2			1						
4 32 38			4			2 26 13			3 30 19			8 39 25			2 12 6												
6 32 69			4 34 19			5 38 38			4 33 31			7 24 25			3 17 6			2 10 6			2 11 6						
4 21 58			4 31 17			3 21 25			3 21 17			6 21 25			3 21 8			2 9 8			2 13 8						
																		3 15 100			2 11 50						
2 17 34 3			1 16 7 1			1 12 11 1			1 15 12 1			5 22 22 2			2 8 6 1			4 3			3 1						
1 21 25			1 3			10 8			13 8			4 33 17			1 5			2		2							
2 18 29			1 12 7			1 17 14			1 18 14			4 18 14			3 15 14			3 7		1 5							
1 9 14			7			1 13 14			1 13 14			1 4			1 5 14												
1 5 25			9			1 11 25			1 11 25						6 30 50			4 30 75			3 21 25						
2 23 51 1			1 16 4			1 12 9			1 9 7			8 31 40 1			1 9 3			1 3 4			1 1						
1 11			1 21			1 18			8			1 5			2 26			1 7		2 11							
2 16 100			3 81 100			2 35 100			2 32 100			1 5						1									
2 20 46 6			1 15 12 2			1 14 18 2			1 8 11 2			5 29 27 4			1 5 5 1			2 3		2 2							
1 10 20			10			7 10			5			2 12 10			2			1 10		1							
3 27 32			2 22 8			2 20 12			2 23 12			6 32 16			4 15 8			2 4		1 3							
3 21 35			2 26 10			3 28 20			3 35 25			3 15 10			8 32 25			3 16 20		5 19 15							
2 13			2			2			2			2			6 21 38			8 37 113		10 40 75							
1 9 37 2			5 6			6 13 1			7 10 1			2 13 24 1			1 3 5 1												
4			6			5						4			1												

ADI Program Totals

SYNDICATED PROGRAM ANALYSIS

MARKET NAME SIGN ON/SIGN OFF SHARE DAY/TIME/TELECASTS TSA (000)				CALL LETTERS	CH NO AFFIL	LEAD-IN PROGRAM TITLE	ADI																	
COMPETING PROGRAMS	TV HOUSEHOLDS						WOMEN 18+			WOMEN 18-34			WOMEN 18-49			WOMEN 25-54			WOMEN 55+					
	RTG	SHR	RTG IDX				SHR IDX	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH		
FARGO (CONTINUED) M-F 4:00P> 19T/C TSA(000)	WDAY+	06 A		13S/S																				
				5	18	81	80	4	23	82	4	28	27	3	23	39	3	20	29	5	22	35		
				10				9			3			4			3			4				
LOVE CNCTN >	KXJB	04 C	GERALDO >	2	9			2	14	100	3	23	40	2	18	60	1	11	20	2	9	25		
LITTLE HOUSE>	KTHI	11 N	VARIOUS	6	21			5	27	83	2	16	17	3	21	33	4	25	33	7	33	25		
DUCK TALES >	KVRR	15 F	LITTLE HOU>	6	21			5	28	86	4	27	21	4	31	43	5	34	43	6	27	38		
			VARIOUS	5	19			1	4	13	1	11	13	1	8	13	1	7	13	1				
FLINT-SGN-BAY CY M-F 4:00P 20T/C TSA(000)	WJRT	12 A		23S/S																				
				7	23	119	103	6	29	88	4	22	23	5	28	50	7	35	54	6	26	28		
				37				32			9			19			20			10				
LITTLE HOUSE	WNEW	05 N	GEN HOSPITAL	11	39			10	44	90	13	48	45	11	48	67	10	49	50	7	34	17		
DUCK TALES >	WSMH*	66 F	SANTA BARBRA	6	19			4	21	75	6	30	36	5	25	54	3	18	36	4	17	18		
GERALDO	WEYI*	25 C	ALVN CHPMK-S	4	14			2	9	39	3	17	26	2	11	30	1	8	17	1	2	4		
			THE JUDGE	3	8			2	10	83	1	4	8	1	8	33	2	10	42	3	14	33		
FLORNC-E-MRTL BCH M-F 9:00A 20T/C TSA(000)	WBTW	13 C		40S/S																				
				9	48	147	214	8	51	93	2	22	10	3	30	24	3	28	21	19	74	84		
				17				16			2			4			4			11				
MAGNUM PI-S	WPDE*	15 A	CBS THIS MRN	6	40			6	43	91	1	17	9	2	30	27	2	30	27	14	54	64		
SUCCESS LIFE	WGSE*	43 I	GD MORN AMER	2	10			1	9	80	1	14	20	2	16	60	2	16	60	1	3	20		
			W V GRANT														1							
FT. MYERS-NAPLES M-F 5:00P 20T/C TSA(000)	WBBH*	20 N		24S/S																				
				12	31	210	138	10	34	82	10	45	17	8	36	27	8	37	26	12	33	49		
				32				26			6			9			9			16				
EY STHWST FL>	WINK	11 C	OPRAH WINFRY	11	33			9	38	81	9	49	19	9	48	37	8	46	30	9	31	41		
WEVU FST NWS>	WEVU*	26 A	HARD COPY	9	24			8	27	81	3	13	7	3	15	19	4	18	19	12	33	83		
TAXI-S >	WFTX*	36 F	FAMLY FEUD-S	4	10			3	10	70	3	13	20	3	12	30	2	9	20	3	10	40		
			ROCKFRD FILE	3	8			2	8	78	1	7	22	3	13	44	3	12	44	2	6	33		
FT SMITH M-F 8:00A 20T/C TSA(000)	KFSM	05 C		26S/S																				
				7	31	112	138	6	35	89	5	47	26	5	38	43	4	31	31	7	34	43		
				14				12			4			6			4			6				
GD MORN AMER	KHBSA	40 A	CBS THIS MRN	4	19			4	26	90	3	28	20	3	25	40	4	26	40	8	28	50		
TODAY SHOW	KPOMA	24 N	GD MORN AMER	3	15			3	19	100	1	9	17	2	14	50	2	19	50	5	24	67		
FOX46 KD CLB>	KPBI*	46 F	TODAY SHOW	1	7			1	8	67				1	9	33	1	10	67	2	7	33		
			FOX46 KD CLB	1				1						2			2							
FT WAYNE M-F 9:00A> 19T/C TSA(000)	WPTA*	21 A		26S/S																				
				8	40	129	179	7	48	89	4	44	23	4	45	36	5	48	39	12	49	46		
				21				19			5			8			8			10				
REGIS KATHIE	WANE*	15 C	GD MORN AME>	8	42			7	54	90	3	43	15	4	52	30	5	56	35	13	54	50		
EVERDY LUNDN	WKJG*	33 N	CBS THIS MR>	4	21			3	25	80	2	20	10	2	22	30	2	24	30	6	25	50		
700 CLB RBSN	WFFT*	55 F	TODAY SHOW >	1	4			3	100		5	50		5	50		5			1	3			
			MAXIES WORL>	2				1	100		1			1			1	100		1				
FRESNO-VISALIA M-F 4:00P 20T/C TSA(000)	KFSN*	30 A		21S/S																				
				9	26	147	116	7	33	90	4	20	17	5	27	42	6	32	44	11	41	41		
				37				33			6			16			16			15				
CHIP N DALE >	KMPH*	26 F	OPRAH WINFRY	8	24			6	27	88	4	19	24	5	25	52	6	30	45	8	31	33		
THE JUDGE >	KSEE*	24 N	DUCK TALES	6	17			2	9	37	3	15	19	3	15	33	3	14	30	1				
CARRUSEL	KFTV*	21 I	DAYS LIVES	4	12			3	13	78	1	5	11	1	6	22	1	6	22	7	25	56		
			TV MUJER	4	12			4	16	95	5	27	55	4	21	73	3	14	45	3	11	23		
GAINESVILLE M-F 8:00A 20T/C TSA(000)	WOGX*	51 I		14S/S																				
				3	15	53	67	3	21	80	4	32	39	3	29	62	2	22	35	3	13	18		
				8				6			3			5			3			1				
GD MORN AMER	WCJB*	20 A	BUGS COMDY CR	3	15			1	7	20	2	15	20	1	11	20	1	10	20	12	46	44		
			GD MORN AMER	7	34			6	39	89	2	22	22	4	30	33	5	42	33					
GRND JNCTN-DURNG M-F 4:00P 20T/C TSA(000)	KREX+	05 C		19S/S																				
				4	12	60	54	3	15	85	1	4	5	2	11	24	2	12	24	6	20	60		
				3				2						1			1			2				
M-F 4:00P 20T/C TSA(000)	KREX+	05 C	PEOPLES CRT	4	19			4	25	100	2	11		2	13	33	2	15	33	9	41	67		
				4	15	76	67	4	19	87	1	4	4	2	14	24	2	15	25	8	26	61		
				3				3						1			1			2				
HWY HEAVEN	KJCT	08 A	PEOPLES CRT	5	23			5	30	100	2	11		2	16	25	2	18	25	11	48	50		
DONAHUE	KREZ	06 C	MILLION \$ MV	3	10			3	13	100	3	19	50	2	16	50	1	10		4	11	50		
			PEOPLES CRT																					
GRND JNCTN-DURNG M-F 4:00P 20T/C TSA(000)	KREZ	06 C		3S/S																				
										76			61			76			76					
DONAHUE	KREX+	05 C	PEOPLES CRT	4	15			4	19	100	1	4		2	14	33	2	15	33	8	26	67		
HWY HEAVEN	KJCT	08 A	PEOPLES CRT	3	10			3	13	100	3	19	50	2	16	50	1	10		4	11	50		
			MILLION \$ MV																					
GRND RPD-KAL-B C M-F 5:00P 20T/C TSA(000)	WWT	03 C		21S/S																				
				9	26	148	116	8	34	96	6	32	26	7	34	48	6	33	39	11	33	41		
				57				56			15			28			22			24				
PEOPLES CRT >	WOTV	08 N	OPRAH WINFRY	10	34			10	50	101	10	53	37	10	54	61	7	46	39	12	48	37		
COSBY SHOW-S>	WZZM	13 A	HWY HEAVEN	7	21			6	24	83	2	9	10	2	12	21	3	15	25	13	38	54		
LITTLE HOUSE	WXMI*	17 F	FAMLY TIES-S	6	19			4	18	66	4	21	25	4	22	43	4	24	39	4	12	18		
			SMALL WONDER	3	10			2	8	58	3	16	38	2	13	50	2	13	42	1		4		

ADi Program Totals

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ADI Program Totals

DONAHUE				SYNDICATED PROGRAM ANALYSIS																		
MARKET NAME SIGN ON/SIGN OFF SHARE DAY/TIME/TELECASTS TSA (000)	CALL LETTERS	CH NO AFFIL	LEAD-IN PROGRAM TITLE	ADI																		
				TV HOUSEHOLDS				WOMEN 18+			WOMEN 18-34			WOMEN 18-49			WOMEN 25-54			WOMEN 55+		
				RTG	SHR	RTG IDX	SHR IDX	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH
COMPETING PROGRAMS				RTG	SHR	RTG IDX	SHR IDX	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH
GREAT FALLS M-F 2:00P 20T/C TSA(000)	KFBB	05 A		25S/S 9 49 150 219				8 53 85			8 57 31			7 52 48			8 53 45			9 56 31		
ANOTHER WRLD EVRYDY LUNDN	KTGF* KRTV	16 N 03 C	GEN HOSPITAL SANTA BARBRA GUIDING LGHT	8 43 3 16 1 6				7 51 100 3 17 50 1 8 100			8 61 40 4 24 50 1 7			8 58 60 3 23 50 1 5			9 58 60 3 19 50 2 15 100			6 40 20 2 9 2 15		
GREENBAY-APPLTON M-F 4:00P 20T/C TSA(000)	WLUK	11 N		20S/S 6 20 103 89				5 24 81			4 24 22			4 24 38			4 25 35			7 22 35		
FAMLY FEUD-S> INSIDE EDITN> DUCK TALES >	WFRV+ WBAY WGBA*	05 A 02 C 26 I	GERALDO OPRAH WINFRI TRAP JOHN MD SPR MARIO BR	3 13 10 35 4 13 3 10				2 15 83 9 44 89 3 15 75 2 15			2 14 25 5 31 16 2 14 19 1 4 8			2 15 42 5 35 32 2 16 38 1 4 15			2 16 33 6 35 27 3 19 38 1 4 15			3 14 33 16 54 55 4 12 31		
GRNSBR-W S-HI PT M-F 5:00P 20T/C TSA(000)	WGHP	08 A		21S/S 9 26 148 116				7 29 84			5 22 17			6 28 42			7 33 46			8 28 34		
A GRIFFITH > CURRENT AFFR> TNAGE TURLS>	WFMY WXII WNRW*	02 C 12 N 45 F	OPRAH WINFRI GOMER PYLE PEOPLES CRT CHIP N DALE	11 38 11 33 5 16 2 7				10 47 89 9 35 77 4 17 82 2 21			7 42 23 8 39 25 3 13 15 1 4 14			8 48 48 7 35 42 3 14 44 1 3 14			9 50 48 8 34 39 3 13 41 1 3 14			11 44 33 10 35 31 7 22 35 1		
GRNVLE-N B-WASH M-F 9:00A 20T/C TSA(000)	WCTI	12 A		20S/S 7 30 116 134				5 31 80			4 30 24			5 33 47			4 34 38			7 25 27		
JOAN RIVERS CBS THIS MRN GUMBY >	WITN WNCT WFXI	07 N 09 C 08 F	GD MORN AMER TODAY SHOW CBS THIS MRN MAXIES WORLD	5 28 5 21 4 16 2				4 27 77 4 22 92 3 20 100 1			4 33 23 3 21 31 1 6 11 1			4 34 46 3 20 46 1 10 22 1			4 34 38 3 20 38 2 13 22 1			5 19 23 7 25 46 8 31 67		
GRNV-SPRTRG-ASHE M-F 5:00P 20T/C TSA(000)	WLOS	13 A		20S/S 6 18 97 80				4 18 81			3 12 18			3 14 36			3 15 34			7 23 39		
OPRAH WINFRI ENTRTNMT TON> FAMLY TIES-S>	WYFF WSPA WHNS*	04 N 07 C 21 F	GRWNG PAIN-S KATE ALLIE-S THE JUDGE CHIP N DALE	4 17 10 33 7 21 3 10				3 16 66 9 37 89 6 24 91 2 8 57			4 21 31 11 48 36 4 16 19 3 11 26			3 21 47 9 43 58 4 20 43 2 10 39			3 19 34 9 41 47 5 23 43 2 9 30			2 9 16 9 29 27 8 28 43 1 5 13		
GREENWD-GRNVILLE M-F 4:00P 20T/C TSA(000)	WXVT*	15 C		19S/S 5 12 81 54				5 18 106			3 11 18			5 18 54			4 15 36			6 18 51		
GERALDO	WABG	06 A	HWY HEAVEN OPRAH WINFRI	6 14 7 19				6 19 83 7 24 89			5 19 17 4 15 22			7 24 50 4 16 44			6 21 33 5 21 44			6 14 33 11 35 44		
HRBRG-YRK-LN-LEB M-F 9:00A 20T/C TSA(000)	WGAL	08 N		25S/S 6 38 107 170				5 40 85			3 25 15			3 34 33			3 38 31			10 46 50		
REGIS KATHIE THE JUDGE > GUMBY >	WHTM* WHP* WPMT*	27 A 21 C 43 F	TODAY SHOW GD MORN AMER CBS THIS MRN MAXIES WORLD	6 37 4 23 1 8 1 4				5 42 77 3 26 92 1 9 78 1 20			2 22 8 2 21 15 1 9 11 4 20			3 34 26 2 23 31 1 7 22 3 20			3 32 21 2 26 35 3 11 22 3 20			9 52 51 6 29 58 2 11 56		
HARRISONBURG M-F 9:00A 20T/C TSA(000)	WHSV	03 A		41S/S 5 36 81 161				5 46 110			3 36 33			3 38 52			4 41 44			6 54 50		
			GD MORN AMER	9 60				9 75 100			5 58 25			6 63 38			7 62 38			14 82 50		
HARTFORD-NW HAVN M-F 9:00A 20T/C TSA(000)	WTNH	08 A		21S/S 5 28 79 125				4 33 84			3 39 20			3 34 33			3 35 35			6 31 45		
GERALDO JOAN RIVERS CELEBRATN >	WFSB WVIT* WHCT*	03 C 30 N 18 I	GD MORN AMER CBS THIS MRN TODAY SHOW SYNCHRONAL	5 32 3 15 1 6 1 4				4 41 80 2 18 94 1 9 100 1 6 100			2 40 14 1 14 19 4 10 1			3 43 30 1 16 31 1 7 30			4 47 33 1 16 28 1 10 40			6 38 44 4 19 53 2 9 60 2 11 100		
HOUSTON M-F 10:00A 20T/C TSA(000)	KTRK	13 A		24S/S 8 28 136 125				7 31 85			5 27 27			6 33 57			7 35 55			7 23 19		
PRCE IS RGHT GLDN GRLS DY> TJ HOOKER	KHOU KPRC KHTV*	11 C 02 N 39 I	GD MORN HSTN SALLY J RPHL CLSC CNCNTRN A-TEAM	6 22 6 20 3 11 2 6				5 24 85 5 22 84 2 9 66 2 23			3 20 24 4 20 28 2 10 26 2			4 25 51 3 18 42 2 9 38 2 19			5 25 51 3 15 34 2 9 34 1 3 19			7 24 26 10 32 37 3 11 23 1 4		
HTSVLE-DCTR-FLO M-F 4:00P 20T/C TSA(000)	WAFF*	48 N		18S/S 8 27 145 121				8 34 91			5 22 20			6 28 42			6 34 42			11 40 40		
GRWNG PAIN-S> HARD COPY > DUCK TALES >	WHNT* WAAY* WZDX*	19 C 31 A 54 F	OPRAH WINFRI KATE ALLIE-S GERALDO SPR MARIO BR	7 29 5 15 4 11 3 11				7 35 92 3 15 71 3 12 75 2 8 43			6 32 29 4 15 24 3 14 33 4 17 29			6 38 54 4 17 53 3 14 50 2 12 36			6 44 50 3 17 41 3 14 42 1 8 21			7 32 33 3 11 18 2 9 25 2 7		

ADI Program Totals

SYNDICATED PROGRAM ANALYSIS

(CONTINUED)

DONAHUE

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MEN 18+			MEN 18-34			MEN 18-49			MEN 25-54			MEN 55+			TEENS 12-17			CHILDREN 2-11			CHILDREN 6-11				RTG	SHR																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
3	56	30	1	38	4	2	65	14	2	56	11	5	52	15				1	32	4	1	32	2																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									

ADI Program Totals

DONAHUE				SYNDICATED PROGRAM ANALYSIS																			
MARKET NAME SIGN ON/SIGN OFF SHARE DAY/TIME/TELECASTS TSA (000)	CALL LETTERS	CH NO AFFIL	LEAD-IN PROGRAM TITLE	ADI																			
				TV HOUSEHOLDS				WOMEN 18+			WOMEN 18-34			WOMEN 18-49			WOMEN 25-54			WOMEN 55+			
				RTG	SHR	RTG IDX	SHR IDX	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	
COMPETING PROGRAMS																							
IDHO FLLS-POCTLO M-F 11:00A 20T/C TSA(000)	KIFI	08 N		21S/S	6	38	109	170	4	36	70	2	27	16	3	31	32	4	35	38	8	38	30
				7				5			1			2			3			2			
ALL MY CHILD EVRYDY LUNDN>	KPVI+ KIDK	06 A 03 C	CLSC CNCNTRN LOVING YNG-RESTLESS	6	27			5	29	83	1	8		1	11	17	3	19	33	12	42	50	
				2	14			2	16	100	3	48	100	3	32	100	3	27	100	1			
				3	17			2	21	100		6		1	11	33	1	10	33	7	34	67	
INDIANAPOLIS M-F 9:00A> 19T/C TSA(000)	WRTV	06 A		19S/S	6	33	98	147	4	37	80	3	32	18	3	30	31	3	31	29	8	43	43
				53				43			10			16			16			23			
JOAN RIVERS CLSC CNCNTRN> HWY HEAVEN	WISH WTHR WTTV+	08 C 13 N 04 I	GD MORN AME> CBS THIS MR> VARIOUS SCOOBY DOO->	5	26			4	32	81	1	16	9	2	23	26	2	23	26	8	44	53	
				3	15			2	20	96	1	9	13	1	11	22	1	12	22	6	30	70	
				2	11			1	12	82	1	12	24	1	15	47	1	13	41	2	10	35	
				1	7			1	7	67		4	11	1	7	33	1	9	44	1	5	22	
JACKSON, MS M-F 9:00A 20T/C TSA(000)	WAPT*	16 A		13S/S	5	20	79	89	3	16	71	3	16	26	3	16	39	3	19	37	3	14	24
				14				10			4			5			5			3			
FAMILY FEUD > GERALDO 700 CLB RBSN	WJTV WLBT WDBD*	12 C 03 N 40 F	GD MORN AMER A MS MORN TODAY SHOW C O P S	3	13			2	13	75	1	10	13	1	8	25	1	8	13	4	19	50	
				10	42			9	48	103	8	44	31	7	42	47	5	35	34	14	61	53	
				4	17			3	16	86	3	15	29	3	18	50	4	24	57	3	11	21	
				1																			
JACKSONVILLE M-F 9:00A 20T/C TSA(000)	WJXT	04 C		30S/S	7	38	128	170	6	39	80	3	28	14	4	30	30	4	31	31	11	49	45
				36				29			5			11			11			17			
JOAN RIVERS REGIS KATHIE BIG VALLEY	WTLV WJKS* WAWA*	12 N 17 A 30 F	CBS THIS MRN TODAY SHOW GD MORN AMER C O P S	5	26			4	30	87	1	13	9	1	14	22	2	15	22	10	47	61	
				3	18			3	20	82	3	27	29	3	24	53	3	21	41	4	16	29	
				3	13			2	14	83	2	17	25	2	14	42	2	16	50	2	11	25	
				1	7			1	7	71	1	6	14	1	5	29	1	4	29	2	10	43	
JOHNSTWN-ALTOONA M-F 5:00P 20T/C TSA(000)	WTAJ	10 C		25S/S	8	22	141	98	8	29	102	6	29	21	6	29	40	6	27	36	11	30	55
				28				28			6			11			10			15			
FAMLY FEUD-S> LITTLE HOUSE THE JUDGE >	WJAC WWCP WATM*	06 N 08 F 23 A	OPRAH WINFRI GERALDO CHIP N DALE DIVORC COURT	8	25			7	34	100	6	40	29	7	42	50	7	37	42	8	27	42	
				8	22			6	23	87	5	23	26	5	23	39	5	21	32	9	24	39	
				4	11			3	11	77	3	15	23	3	16	45	4	17	50	3	8	27	
				2	5			1	5	80		1			2	20	1	3	20	3	8	60	
JONESBORO M-F 9:00A> 19T/C TSA(000)	KAIT	08 A		48S/S	10	55	178	246	8	49	85	11	55	26	8	55	38	8	63	35	9	42	40
				15				13			4			6			5			6			
			GD MORN AME>	15	68			13	67	89	8	46	16	7	53	26	7	60	26	21	75	58	
JOPLIN-PITTSBURG M-F 9:00A> 19T/C TSA(000)	KODE	12 A		22S/S	6	27	97	121	6	29	88	4	30	18	5	33	43	4	31	39	7	27	41
				12				11			2			5			5			5			
WHL FRTNE DY> CLSC CNCNTRN>	KOAM KSNF*	07 C 16 N	GD MORN AME> VARIOUS VARIOUS	5	26			5	29	85	4	29	15	4	28	38	5	32	38	7	31	46	
				7	36			7	38	100	2	15	8	3	19	23	3	22	23	13	51	77	
				3	13			3	14	120	3	22	40	3	20	80	2	15	40	3	10	40	
KANSAS CITY M-F 3:00P 20T/C TSA(000)	KMBC	09 A		24S/S	6	32	103	143	5	40	92	5	47	30	4	40	45	4	37	38	8	42	42
				48				44			15			22			18			20			
DIVORC COURT> GERALDO REAL GHSTBST>	KCTV WDAF KSHB*	05 C 04 N 41 F	GEN HOSPITAL GUIDING LGHT SANTA BARBRA LEAVE BEAVER	6	32			5	37	98	6	42	41	5	37	52	5	43	52	6	34	34	
				4	20			3	21	80	1	12	13	1	12	23	2	15	23	5	29	50	
				3	16			2	18	84	2	16	24	2	22	48	2	21	44	3	15	32	
				2	13			3	17		1	7	13	1	5	13	1	5	13				
KNOXVILLE M-F 9:00A 20T/C TSA(000)	WBIR	10 N		30S/S	7	40	124	179	6	40	79	4	34	19	4	33	33	4	32	32	10	49	41
				35				27			7			11			11			14			
JOAN RIVERS REGIS KATHIE SUCCESS LIFE	WATE WKXT WKCH*	06 A 08 C 43 F	TODAY SHOW GD MORN AMER CBS THIS MRN POLICE ACDMY	7	33			5	35	83	2	25	14	2	25	24	3	31	31	10	42	48	
				3	18			3	18	93	2	16	27	1	13	33	2	14	27	4	21	47	
				3	16			2	16	75	2	20	25	2	19	42	2	22	50	2	12	25	
LA CRSE-EAU CLR M-F 9:00A> 19T/C TSA(000)	WEAU	13 N		26S/S	5	27	83	121	4	29	88	3	30	17	3	29	29	4	29	36	6	31	50
				11				10			2			3			4			6			
REGIS KATHIE WHL FRTNE DY> ODD COUPLE >	WXOWA WKBT WLAX*	19 A 08 C 25 F	TODAY SHOW > GD MORN AME> VARIOUS VARIOUS	6	34			5	40	92	5	48	23	4	39	38	5	43	46	7	40	46	
				3	19			3	21	100	2	21	17	2	26	50	3	29	50	3	14	33	
				5	25			4	27	90	1	14	20	2	17	30	2	14	30	7	38	50	
				1	3			2			1	7			5		2						
LAFAYETTE, LA M-F 4:00P 20T/C TSA(000)	KATC	03 A		20S/S	8	22	133	98	7	27	86	5	26	29	4	23	40	5	24	34	11	33	41
				18				16			5			7			6			8			
NGHT COURT-S> DUCK TALES >	KLFY KADN*	10 C 15 F	OPRAH WINFRI HWY HEAVEN SPR MARIO BR	12	31			11	43	93	8	39	29	8	38	46	8	40	39	19	52	43	
				8	21			6	27	81	4	22	24	4	24	38	3	18	24	11	32	38	
				4	12			1	4	22	2	8	11	1	6	22	2	9	22				

API Program Totals

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ADI Program Totals

SYNDICATED PROGRAM ANALYSIS

MARKET NAME SIGN ON/SIGN OFF SHARE DAY/TIME/TELECASTS TSA (000)				CALL LETTERS	CH NO AFFIL	LEAD-IN PROGRAM TITLE	ADI																	
COMPETING PROGRAMS	TV HOUSEHOLDS						WOMEN 18+			WOMEN 18-34			WOMEN 18-49			WOMEN 25-54			WOMEN 55+					
	RTG	SHR	RTG IDX				SHR IDX	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH		
MADISON (CONTINUED) FAMLY TIES-S>	WISC	03 C	OPRAH WINFRIY	4	16																			
MCALN-BRVL: LRGV M-F 9:00A> 19T/C TSA(000)	KRGV	05 A		5	22	86	98	3	22	83	1	16	11	2	20	35	3	24	42	6	21	39		
WHL FRTNE DY> JOAN RIVERS	KGBT KVEO*	04 C 23 N	GD MORN AME> VARIOUS TODAY SHOW >	7 6 3	32 28 11			5 4 2	32 26 11	86 83 80	1 2 1	19 30 13	7 17 20	2 2 1	25 23 9	29 33 40	3 2 1	30 20 8	29 25 20	11 8 3	38 29 12	50 42 40		
MEDFORD M-F 4:00P 20T/C TSA(000)	KDRV+	12 A		3	13	52	58	3	16	82	3	15	23	2	15	32	2	16	36	4	17	45		
GRWNG PAIN-S> GERALDO	KOB1+ KTVL	05 N 10 C	SALLY J RPHL DAYS LIVES JOAN RIVERS	2 4 6	10 17 24			2 3 5	10 20 30	67 78 88	2 2 7	8 14 42	33 11 38	2 2 5	11 16 35	33 22 50	2 2 5	15 17 32	67 33 38	1 6 6	8 23 26	33 44 38		
MEMPHIS M-F 9:00A> 19T/C TSA(000)	WMC	05 N		7	33	126	147	5	32	81	3	21	14	4	31	38	5	33	37	8	31	38		
WHL FRTNE DY> JOAN RIVERS VARIOUS	WREG WHBQ WLMT*	03 C 13 A 30 F	TODAY SHOW > VARIOUS GD MORN AME> VARIOUS	4 6 3 1	23 28 11 3			4 5 2 1	28 31 12 4	86 95 94 125	2 3 2 1	16 25 14 25	14 18 25	3 3 2 2	24 22 14 1	38 32 50 25	3 3 2 1	30 20 14 25	41 25 50 25	5 11 3 2	30 43 10 8	41 61 31 100		
MERIDIAN M-F 4:00P 20T/C TSA(000)	WTOK	11 A		15	42	262	188	13	49	88	11	41	29	12	49	48	12	52	45	15	51	35		
HWY HEAVEN	WTZH*	24 C	OPRAH WINFRIY FAMLY FEUD-S	15 6	47 17			13 6	59 21	92 100	14 4	61 16	42 25	13 4	62 16	58 50	11 5	62 22	42 50	14 8	53 27	33 50		
MIAMI M-F 9:00A 20T/C TSA(000)	WPLG	10 A		7	32	121	143	6	34	83	2	19	8	3	22	19	3	23	21	10	43	60		
REGIS KATHIE INCREDBL HLK HOUSE PARTY	WSVN WDLZ* WTVJ	07 F 39 I 04 N	GD MORN AMER TDY FLA 2EDT FLINTSTONES TODAY SHOW	6 4 2 1	27 19 7 6			5 3 1 1	33 20 3 3	89 82 35 44	2 2 1 1	22 18 6	12 15	3 3 1 1	27 22 5 6	27 35 20 6	4 3 1 1	27 22 25 6	30 35 25 6	8 4 2 1	39 18 10 5	57 45 31 39		
MILWAUKEE M-F 4:00P 20T/C TSA(000)	WITI	06 C		7	23	116	103	6	30	86	3	22	13	3	25	27	4	32	34	10	31	48		
FAMLY FEUD-S> COSBY SHOW-S> CHIP N DALE >	WTMJ WISN WCGV*	04 N 12 A 24 F	PEOPLES CRT OPRAH WINFRIY GERALDO DUCK TALES	4 10 5 3	19 32 16 9			3 8 3 1	21 42 15 10	76 84 61 10	2 3 4 2	17 25 33 5	15 10	2 4 3 4	16 30 24 10	26 23 39 10	2 4 2 3	18 33 17 10	26 25 26 3	6 17 3 9	28 51 9 18	44 56 18		
MINPOLIS-ST PAUL M-F 8:00A 20T/C TSA(000)	WCCO	04 C		6	31	100	138	5	42	90	3	39	17	3	37	30	3	36	29	11	48	55		
M-F 8:00A 20T/C TSA(000)	WCCO+	04 C	CBS THIS MRN	2 6 2	13 33 14			2 6 2	21 46 23	97 90 81	1 3 1	16 42 15	17 17	1 3 1	16 38 28	34 30 33	1 3 2	18 39 28	38 30 39	4 11 4	25 51 49	52 53		
GD MORN AMER MUPPET BAB-S> TODAY SHOW	KSTP+ KMSP KARE	05 A 09 I 11 N	CBS THIS MRN GD MORN AMER REAL GHSTBST TODAY SHOW	2 4 3 1	14 22 18 7			2 3 1 1	23 27 5 10	91 80 20 89	1 1 1 6	17 10 19 11	15 7	1 1 1 1	17 19 12 10	33 22 18 37	2 2 1 1	19 25 7 11	39 29 10 37	4 7 2 2	26 31 10 10	52 51 2 47		
MINOT-BSMK-DIC-G M-F 9:00A 20T/C TSA(000)	KFYR	05 N		4	18	76	80	4	22	97		4	3	2	14	22	3	20	33	9	27	64		
M-F 9:00A 20T/C TSA(000)	KFYR+	05 N	TODAY SHOW	4 12 11	18 50 44			4 11 10	26 57 56	100 89 88		3 50 25			13 53 35	14 30 19	3 7 6	20 50 48	29 31 31	9 20 19	32 60 67	57 52 50		
FAMILY FEUD > FAMILY FEUD > 700 CLB RBSN	KXMC+ KXGN KBYA	13 C 05 C 17 A	CBS THIS MRN CBS THIS MRN GD MORN AMER	4 4 1 1	19 19 1 1			4 4 1 1	19 19 100 1	83 83 100 1	3 3 2	30 30 33	33	2 2 1 1	21 21 1 1	33 33 33 33	3 3 1 1	18 18 1 1	33 33 33 33	7 7 1 1	20 20 2 1	50 50		
MOBILE-PENSACOLA M-F 9:00A> 19T/C TSA(000)	WALA	10 N		5	27	86	121	4	29	84	4	33	30	4	33	52	4	30	41	5	25	29		
JOAN RIVERS EVRYDY LUNDN WHL FRTNE DY>	WKRG WEAR WJTC	05 C 03 A 44 I	TODAY SHOW > CBS THIS MR> GD MORN AME> VARIOUS	3 3 2 2	19 17 13 10			3 2 2 2	21 17 14 12	81 81 83 89	2 2 2 2	25 13 17 16	25 19 33 44	2 2 2 2	20 13 14 17	31 31 50 67	2 2 2 2	16 13 16 16	25 31 42 56	5 5 3 1	24 24 13 7	44 44 25 22		
MONROE-EL DORADO M-F 9:00A> 19T/C TSA(000)	KNOE	08 C		9	38	148	170	7	37	94	6	29	28	5	26	41	5	27	33	11	52	47		
THE JUDGE > JOAN RIVERS	KTVE KARD*	10 N 14 A	CBS THIS MR> VARIOUS GD MORN AME>	9 6 1	41 26 5			7 5 1	45 25 6	88 93 150	6 5 2	37 25 8	24 33 50	4 6 1	32 30 6	29 53 100	5 5 1	39 24 5	29 33 50	11 4 1	55 20 3	47 33 50		

ADI Program Totals

DONAHUE				SYNDICATED PROGRAM ANALYSIS																		
MARKET NAME SIGN ON/SIGN OFF SHARE DAY/TIME/TELECASTS TSA (000)	CALL LETTERS	CH NO AFFIL	LEAD-IN PROGRAM TITLE	ADI																		
				TV HOUSEHOLDS				WOMEN 18+			WOMEN 18-34			WOMEN 18-49			WOMEN 25-54			WOMEN 55+		
				RTG	SHR	RTG IDX	SHR IDX	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH	RTG	SHR	VPHH
COMPETING PROGRAMS																						
SIOUX FLL-MITCHL M-F 9:00A 20T/C TSA(000)	KSFY+	13 A	GD MORN AMER CBS THIS MRN TODAY SHOW JETSONS	25S/S				7 45 89			5 54 22			4 51 32			4 45 27			12 42 52		
				8 43 138 192				18			5			7			6			11		
				5 31				4 33 83			2 26 17			3 31 33			3 34 33			6 34 50		
				6 33				6 37 100			1 15 13			2 23 19			2 27 19			12 44 75		
FAMILY FEUD > GERALDO VARIOUS	KELO+ KDLT KTTW*	11 C 05 N 17 F		2 9				1 8 75			1 15 25			1 12 25			1 12 25			1 5 25		
STH BEND-ELKHART M-F 9:00A> 19T/C TSA(000)	WSJV*	28 A	GD MORN AME> CBS THIS MR> TODAY SHOW > J SWAGGR DL>	18S/S				5 34 93			4 38 27			3 31 42			3 31 39			7 35 42		
				5 29 88 129				15			4			7			6			7		
				4 22				3 27 85			1 15 8			2 18 31			2 20 31			7 34 62		
				6 32				4 30 74			2 16 11			3 25 26			3 27 32			7 37 47		
REGIS KATHIE HOUSE PARTY LESEA ALIVE	WSBT* WNDU* WHME*	22 C 16 N 46 I		1 6				1 6 83			2 2			3 17			3 17			2 11 67		
				1				1 100			1 5 100			3 100			3 100					
SPOKANE M-F 9:00A> 20T/C TSA(000)	KXLY	04 A	GD MORN AME> CBS THIS MR> TODAY SHOW > COMIC STRIP>	22S/S				6 42 87			7 70 38			5 54 50			5 50 45			7 32 31		
				6 36 109 161				20			9			12			10			7		
				6 34				5 45 86			4 46 23			4 47 41			5 49 41			8 45 41		
				3 20				3 26 92			1 6 8			1 12 25			1 12 25			9 42 75		
WHL FRNTE DY> CLSC CNCNTRN> 700 CLB RBSN	KREM KHQ KAYUA	02 C 06 N 28 F		2 9				1 9 80			3			1 6 20			1 5 20			3 13 60		
				2				3 100			1			2			1 6 100					
SPRINGFIELD, MA M-F 4:00P 20T/C TSA(000)	WWLP*	22 N	SANTA BARBRA GEN HOSPITAL	25S/S				5 25 92			3 17 18			3 21 35			3 25 33			8 30 54		
				6 20 95 89				14			3			5			5			8		
				3 14				3 16 89			3 24 33			2 18 44			1 13 33			4 15 33		
				5 17				3 18 63			6 38 38			4 29 44			3 20 25			2 7 13		
SPRINGFIELD, MO M-F 3:00P 20T/C TSA(000)	KSPR*	33 A	GEN HOSPITAL SANTA BARBRA GUIDING LGHT NW LEAVE BVR	12S/S				3 21 82			2 20 18			3 25 42			3 28 40			4 18 35		
				4 19 74 85				11			2			5			5			5		
				2 10				1 9 83			1 5 17			1 6 17			1 8 33			2 14 50		
				5 22				4 27 88			3 26 19			3 25 38			3 23 25			6 30 50		
SANTA BARBRA> THE JUDGE > MUPPET BAB-S>	KYTV KOLR KDEB*	03 N 10 C 27 F		3 14				3 17 92			1 8 8			2 14 33			2 17 33			4 20 58		
				3 12				2 13			1 9 13			1 5 13			1 6 13					
SPGFLD-DCT-CHMPG M-F 4:00P 20T/C TSA(000)	WAND*	17 A	HWY HEAVEN DAYS LIVES OPRAH WINFRY TNAGE TURTLS	17S/S				3 19 95			3 25 33			3 23 49			3 23 44			4 16 38		
				4 14 60 63				12			4			6			5			5		
				3 10				2 11 78			2 16 33			2 14 44			2 12 33			2 9 33		
				7 26				5 32 84			3 26 16			3 28 28			4 29 28			9 35 48		
PEOPLES CRT > GERALDO DUCK TALES >	WICSA WCIA+ WRSPA	20 N 03 C 55 F		6 23				5 29 86			3 24 18			4 28 36			4 28 32			8 32 45		
				3 10				1 8			3			2 8			3 8			1		
SYRACUSE M-F 5:00P 20T/C TSA(000)	WSTM	03 N	GERALDO OPRAH WINFRY HWY HEAVEN CHIP N DALE	20S/S				6 24 94			6 30 29			5 28 47			5 24 39			8 21 39		
				7 20 121 89				29			9			15			12			12		
				4 16				3 17 79			1 8 11			2 13 32			2 14 32			6 21 42		
				10 30				9 36 96			3 18 10			4 23 22			6 30 27			18 47 65		
PEOPLES CRT > CHEERS-S > TNAGE TURTLS>	WIXT WTVH WSYT*	09 A 05 C 68 F		7 19				5 20 86			3 17 17			3 19 34			4 23 38			7 18 41		
				3 7				1 3 27			2 9 27			1 6 27			1 4 18					
TALLHSE-THMSVLE M-F 9:00A 20T/C TSA(000)	WCTV	06 C	GERALDO TODAY SHOW GD MORN AMER LAVRN-SHIRLY	44S/S				9 62 91			5 51 18			6 59 36			8 69 38			15 63 50		
				11 59 191 263				25			5			10			10			14		
				11 52				9 58 86			3 33 10			5 45 28			7 51 31			17 68 52		
				2				2 100			5			4 100			2					
VARIOUS SUCCESS LIFE NEWHART-S >	WTWC* WTLX* WTLH*	40 N 27 A 49 F		2				1			1			1			1					
				1				1			1			2								
TAMP-ST. PET(SAR) M-F 9:00A 20T/C TSA(000)	WTSP	10 A	GD MORN AMER CBS THIS MRN TODAY SHOW GD MORN AMER	18S/S				4 32 91			3 33 14			3 30 26			3 30 26			6 32 61		
				5 28 83 125				59			9			17			17			39		
				6 31				5 37 89			2 28 11			3 34 24			3 29 21			8 40 64		
				3 19				3 22 95			2 20 14			2 22 30			2 17 23			4 23 63		
REGIS KATHIE CLSC CNCNTRN> DONAHUE	WTVT WFLA WWSB*	13 C 08 N 40 A		3 18				3 18 81			1 9 7			1 12 16			1 12 16			4 22 63		
				1 5				1 5 83			4 8			4 17			4 17			1 6 58		
TAMP-ST. PET(SAR) M-F 9:00A 20T/C TSA(000)	WWSB*	40 A	GD MORN AMER GD MORN AMER CBS THIS MRN TODAY SHOW	3S/S				1 5 80			4 9			4 18			4 18			1 6 61		
				1 5 14 22				10			1			2			2			7		
				1 6				1 7 100			1 8 13			5 20			1 7 27			2 8 73		
				5 28				4 32 92			3 33 14			3 30 27			3 31 27			6 32 61		
DONAHUE REGIS KATHIE CLSC CNCNTRN>	WTSP WTVT WFLA	10 A 13 C 08 N		3 19				3 22 95			2 20 14			2 22 30			2 17 23			4 23 63		
				3 18				3 18 81			1 9 7			1 12 16			1 12 16			4 22 63		
TERRE HAUTE M-F 9:00A 20T/C TSA(000)	WTWO	02 N	TODAY SHOW GERALDO GD MORN AMER	22S/S				4 30 91			1 15 11			2 20 22			2 19 20			7 38 67		
				4 24 74 107				8			1			2			2			6		
				5 23				4 27 89			1 11 11			2 17 22			2 17 22			8 37 67		
				6 31				5 35 82			3 37 18			3 36 36			4 41 36			6 31 36		
GERALDO > 700 CLB RBSN	WTHI WBAK*	10 C 38 A		1				1						1			1			2		

BEFORE THE
COPYRIGHT ROYALTY TRIBUNAL

In the matter of)	
1986 Cable Royalty)	CRT Docket 88-2-86CD
Distribution Proceeding)	
)	

DIRECT TESTIMONY OF RICHARD C. THRALL
FOR MULTIMEDIA ENTERTAINMENT, INC.

This testimony is presented on behalf of Multimedia Entertainment, Inc. ("Multimedia") in Phase II of the Program Suppliers' category of the 1986 Cable Royalty Distribution Proceeding.

Introduction

I am Senior Vice President - Operations and Administration - New York, for Multimedia. I have testified in seven previous royalty distribution proceedings (1979 - 1985) before the Tribunal concerning the Phase II distribution of the Program Suppliers' category funds. In 1986, I return, albeit reluctantly. Reluctantly, because my presentation will sound familiar to this Tribunal, which has heard similar information numerous times before. As in past years, there are some differences in Multimedia's program menu, but the scope of differences is small and the change in circumstances does not justify a full-blown hearing. It remains our belief that the primary reason for this annual recitation, which is made at great expense to Multimedia and this Agency, lies less in the objective evaluation of Multimedia's case than in The Motion Picture Association of

DONAHUE ADVERTISING STUDY FOR 1986¹

1/ This study is offered as evidence of the marketplace value of Donahue. It estimates, based on actual selling price of commercial time in selected markets, how much revenue Donahue generates for its affiliates and what that total represents of all non-network, non-local news spot sales. As such, it gives the Tribunal guidance as to Multimedia's share of royalties. It does not attempt to measure all of Multimedia's programming, only Donahue. For further background explanation of the methodology of the advertising study, see Multimedia 1979 Prehearing Statement at 12-13.

Multimedia Entertainment, Inc.
Phase II, CRT Docket 88-2-86CD
Exhibit 4
Page 2

Total Spot Sales Non-Network Programming 1986 ^{2/}	\$11,436,480,000
Less Sales in Local News (26.5%)	<u>\$ 3,030,667,200</u>
Net Spot Sales, Non-Network Programming	8,405,812,800
Donahue Percentage of 1986 Spot Sales, Non-Network, Non-local	<u>\$ 182,782,538</u>
	8,405,812,800 = 2.17%

2/ In view of the fact that the FCC terminated the filing of the Annual Financial Report, the spot sales data is derived from TV Bureau (TVB) estimates for 1986. Since TVB's figures (6.570 billion spot sales \$6.514 billion local sales) include production costs for local and spot sales (while FCC figures did not), an adjustment based on a comparison of FCC/TVB sales figures for the period 1976-1980 was made and percentage adjustments of 10.7% for spot and 14.5% for local production costs were made.



TV PROGRAM INVESTOR

Cash license fees decline.p.1
10-yr. market forecasts...p.2
Bundys vs. Huxtables.....p.6
\$1 mil. Video Challenge?...p.7
Harry's quite healthy now.p.8

Senior Analyst: Larry Gerbrandt (408) 624-1536
Research Assoc.: Karen Weill (408) 624-1536
Research Assoc.: Paul Bricault (213) 292-1316

No. 76
May 31, 1990

PAUL KAGAN ASSOCIATES, INC.
126 CLOCK TOWER PLACE
CARMEL, CALIFORNIA 93923-8734
(408) 624-1536 • FAX (408) 625-3225

The current malaise in the cash broadcast syndication business can be traced back to one primary source: the increasingly successful Fox network.

Hardest hit have been the theatrical movie packages, but an overabundance of sitcoms and the near-total rejection of hours by TV stations have contributed to the decline in cash license fees.

Our updated 10-year projections for broadcast syndication (P. 2-3) suggest cash fees could be down 3.3% in 1990 (marking the fourth year of declines) to \$1.18 bil. vs. a 13% increase in the barter business to \$1.175 bil.

The stations, especially the independents, see themselves in control of a buyer's market. After paying up for product throughout the heady early 1980s, they are now using their clout to buy selectively and at lower prices.

With Fox planning to provide five nights of prime-time programming this fall (plus a kid's block, prime-access series and a possible news block), Fox affiliates in more than 120 markets have much less airtime to fill.

This is not an overnight development. We have been forecasting a decline in demand for syndicated programming for several years. But adjusting to the new reality of the changed marketplace has been difficult, especially for the middle tier of syndicators who can't rely on hit series to drive sales.

Our estimates show the cash portion of the business growing at low, single-digit rates for the balance of the decade--from \$1.18 bil. in 1989 to \$1.59 bil. by 1999.

Most of that growth is coming from network affiliates paying higher fees for prime-access shows such as *Wheel*, *Jeopardy* and *Married...with Children* and early fringe series such as *Oprah* and *Cosby*.

Another factor is lower overall ratings for syndicated shows as cable and other competitive media erode viewership. There may be a hidden benefit to low ratings: They may ultimately tighten up spot inventory, allowing stations to raise CPMs and spot rates.

That's the bad news. The good news is that while cash may no longer be king (at least in syndication), barter is still growing at double digit levels, and cable and foreign sales have offset some of the lost revenue.

Our projections call for barter to grow from \$1.175 bil. this year to \$3.03 bil. by 1999 from a combination of higher ratings, greater clearances, more inventory and CPM increases.

Barter may get a further boost from the turmoil over the broadcast networks backing away from ratings guarantees.

Because the top barter shows can often deliver 90%+ clearances and ratings nearly equal to that of prime-time series--but at substantially lower CPMs--the new network policies may strengthen barter's sales pitch.

(continued on P. 4)

10-YEAR BROADCAST SYNDICATION MARKET PROJECTIONS

		1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
INDEPENDENTS														
1 Avg. U.S. TVHH	(mil.)	87.4	88.6	90.4	92.1	93.6	94.8	95.9	97.1	98.3	99.4	100.5	101.6	102.7
2 Market TVHH coverage		90.0%	90.0%	90.5%	91.0%	91.5%	92.0%	92.5%	93.0%	93.5%	94.0%	94.0%	94.0%	94.0%
3 Market TVHH	(mil.)	78.7	79.7	81.8	83.8	85.6	87.2	88.7	90.3	91.9	93.4	94.5	95.5	96.5
4 Average rating		5.56	5.90	5.90	5.89	5.89	5.88	5.88	5.87	5.87	5.86	5.86	5.85	5.85
5 Avg. viewers	(000)	4,373	4,705	4,823	4,936	5,040	5,128	5,212	5,301	5,391	5,475	5,531	5,587	5,643
6 Avg. CPM	\$	4.74	4.98	5.23	5.49	5.71	5.94	6.17	6.42	6.68	6.94	7.22	7.51	7.81
7 Avg. 30-sec. spot	\$	20,734	23,419	25,207	27,091	28,767	30,441	32,172	34,032	35,993	38,021	39,946	41,962	44,076
8 Syndicated hrs./day		15.0	15.0	14.5	14.0	13.0	12.0	11.5	11.0	11.0	11.0	11.0	11.0	11.0
9 Syndicated hrs./year		5,475	5,475	5,293	5,110	4,745	4,380	4,198	4,015	4,015	4,015	4,015	4,015	4,015
10 30-sec. spots/hr.		23.0	20.0	19.0	18.9	18.8	18.7	18.6	18.5	18.4	18.3	18.3	18.2	18.1
11 Syndicated 30s/year	(000)	125.9	109.5	100.6	96.6	89.3	82.0	78.2	74.4	74.0	73.7	73.3	72.9	72.6
12 Avg. inventory sellout		79%	78%	75%	74%	75%	76%	77%	78%	78%	78%	78%	78%	78%
13 Syndicated 30s sold	(000)	99.5	85.4	75.4	71.5	66.9	62.3	60.2	58.0	57.7	57.5	57.2	56.9	56.6
14 Avg. 30-sec. spot	\$	20,734	23,419	25,207	27,091	28,767	30,441	32,172	34,032	35,993	38,021	39,946	41,962	44,076
15 Total revenue	(mil.)\$	2,063	2,000	1,901	1,937	1,926	1,897	1,936	1,975	2,078	2,184	2,283	2,387	2,494
16 Station program budget		33.5%	33.0%	32.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
17 Syndicator rev.	(mil.)\$	692	660	608	581	578	569	581	592	623	655	685	716	748
AFFILIATES														
18 Avg. U.S. TVHH	(mil.)	87.4	88.6	90.4	92.1	93.6	94.8	95.9	97.1	98.3	99.4	100.5	101.6	102.7
19 Market TVHH coverage		99.9%	99.9%	99.9%	99.9%	99.9%	99.9%	99.9%	99.9%	99.9%	99.9%	99.9%	99.9%	99.9%
20 Market TVHH	(mil.)	87.3	88.5	90.3	92.0	93.5	94.7	95.8	97.0	98.2	99.3	100.4	101.5	102.6
21 Average rating		8.10	8.15	8.10	8.05	8.00	7.95	7.90	7.85	7.80	7.75	7.70	7.65	7.60
22 Avg. viewers	(000)	7,072	7,214	7,315	7,407	7,481	7,529	7,569	7,615	7,660	7,696	7,731	7,765	7,797
23 Avg. CPM	\$	4.91	5.15	5.41	5.63	5.85	6.08	6.33	6.58	6.84	7.12	7.40	7.70	8.01
24 Avg. 30-sec. spot	\$	34,698	37,161	39,567	41,665	43,764	45,810	47,892	50,112	52,424	54,778	57,228	59,778	62,431
25 Syndicated hrs./day		6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
26 Syndicated hrs./year		2,190	2,190	2,190	2,190	2,190	2,190	2,190	2,190	2,190	2,190	2,190	2,190	2,190
27 30-sec. spots/hr.		23.0	22.0	21.0	20.0	19.9	19.8	19.7	19.6	19.5	19.4	19.3	19.2	19.1

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(continued on next page)

10-YEAR BROADCAST SYNDICATION MARKET PROJECTIONS (continued from P. 2)

		1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
AFFILIATES (continued)														
28 Syndicated 30s/year	(000)	50.4	48.2	46.0	43.8	43.6	43.4	43.1	42.9	42.7	42.5	42.3	42.1	41.9
29 Avg. inventory sellout		80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%
30 Syndicated 30s sold	(000)	40.3	38.5	36.8	35.0	34.9	34.7	34.5	34.3	34.2	34.0	33.8	33.7	33.5
31 Avg. 30-sec. spot	\$	34,698	37,161	39,567	41,665	43,764	45,810	47,892	50,112	52,424	54,778	57,228	59,778	62,431
32 Total revenue	(mil.)\$	1,398	1,432	1,456	1,460	1,526	1,589	1,653	1,721	1,791	1,863	1,936	2,012	2,091
33 Station program budget		41%	41%	42%	41%	40%	40%	40%	40%	40%	40%	40%	40%	40%
34 Syndicator revenue	(mil.)\$	577	587	611	599	610	636	661	688	717	745	774	805	836
BARTER														
35 Avg. U.S. TVHH	(mil.)	87.4	88.6	90.4	92.1	93.6	94.8	95.9	97.1	98.3	99.4	100.5	101.6	102.7
36 Market TVHH coverage		77.0%	78.0%	79.0%	80.0%	80.5%	81.0%	81.5%	82.0%	82.5%	83.0%	83.5%	84.0%	84.5%
37 Average rating		5.28	5.31	5.33	5.36	5.41	5.46	5.51	5.56	5.61	5.66	5.71	5.76	5.81
38 Avg. viewers	(000)	3,553	3,667	3,809	3,949	4,076	4,193	4,307	4,427	4,550	4,670	4,792	4,916	5,042
39 Avg. CPM	\$	3.14	3.43	3.63	3.81	4.00	4.20	4.41	4.63	4.86	5.11	5.36	5.63	5.91
40 Avg. inventory sellout		90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%
41 Avg. 30-sec. spot	\$	10,039	11,309	12,455	13,542	14,677	15,850	17,095	18,452	19,911	21,458	23,120	24,904	26,821
42 National barter 30s/wk.		1,462	1,558	1,606	1,669	1,719	1,770	1,824	1,878	1,935	1,993	2,052	2,114	2,177
43 Total barter spots/yr. (000)		76.0	81.0	83.5	86.8	89.4	92.1	94.8	97.7	100.6	103.6	106.7	109.9	113.2
44 Total barter revenue	(mil.)\$	763	916	1,040	1,175	1,312	1,459	1,621	1,802	2,003	2,223	2,467	2,738	3,037
TOTAL														
45 Tot. syndicator rev.	(mil.)\$	2,032	2,163	2,260	2,355	2,500	2,664	2,863	3,083	3,343	3,624	3,927	4,259	4,622
46 Independent growth		-17.4%	-4.6%	-7.8%	-4.5%	-0.6%	-1.5%	2.1%	2.0%	5.2%	5.1%	4.5%	4.5%	4.5%
47 Affiliate growth		5.7%	1.7%	4.1%	-2.1%	2.0%	4.2%	4.0%	4.1%	4.1%	4.0%	4.0%	3.9%	3.9%
48 Barter growth		30.0%	20.1%	13.5%	13.0%	11.6%	11.2%	11.1%	11.2%	11.1%	11.0%	11.0%	11.0%	10.9%
49 Total growth		3.1%	6.4%	4.5%	4.2%	6.2%	6.6%	7.5%	7.7%	8.4%	8.4%	8.4%	8.4%	8.5%
50 Independents % of total		34.0%	30.5%	26.9%	24.7%	23.1%	21.4%	20.3%	19.2%	18.6%	18.1%	17.4%	16.8%	16.2%
51 Affiliates % of total		28.4%	27.1%	27.1%	25.4%	24.4%	23.9%	23.1%	22.3%	21.4%	20.6%	19.7%	18.9%	18.1%
52 Barter % of total		37.5%	42.3%	46.0%	49.9%	52.5%	54.8%	56.6%	58.5%	59.9%	61.4%	62.8%	64.3%	65.7%

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SYNDICATION'S FUTURE TIED TO NEW TECHNOLOGIES (continued from P. 1)

Basic cable has taken independent TV's place as the primary buyers of hours and theatrical movie packages, in some cases paying more than the broadcast window used to bring in at substantially lower sales and residual costs.

We estimate basic cable networks will spend a total of \$1.3 bil. on programming in 1990. About 70% of that total is spent on original programs, sports rights and news with the \$400 mil. balance going to syndicated fare.

On the horizon--or more precisely, floating in 22,400 mile-high orbits--are a new generation of direct broadcast satellites with planned capacity of over 100 channels. Their impact may not be felt for five years or more but they could be the next licensors of the fifth cycle of *Happy Days*.

For stations, this recent period of programming plenty has allowed them to get their program margins back down in line with slower revenue growth, soft national spot markets and high interest payments.

As long as product remains abundant--a likely scenario with Fox increasing the supply of off-network programming by 25% over four years and first-run production on the rise--the buyers market will stay in force.

From the syndicator's point of view, the battle is now over clearances. Fox has gained control of the 4 p.m.-6 p.m. and 8 p.m.-10 p.m. time periods on its affiliated stations. For other studios, the only solution may be building a fifth network--or buying control of one or more of the others.

BROADCAST TV SYNDICATION REVENUES: 1975-1999

-----Industry Segment-----				-----Growth Rates-----			
Affil.*	Indies*	Barter#	Total	Affil.	Indies	Barter	Total
(mil.)	(mil.)	(mil.)	(mil.)				
1975	\$167	\$ 75	\$ 36	\$ 278	---	---	---
1976	185	89	45	319	+10.8%	+18.7%	+25.0%
1977	192	99	52	343	+ 3.8	+11.2	+15.6
1978	219	130	73	422	+14.1	+31.3	+40.4
1979	257	169	105	531	+17.4	+30.0	+43.8
1980	304	225	134	663	+18.3	+33.1	+27.6
1981	331	300	186	817	+ 8.9	+33.3	+38.8
1982	332	389	237	958	+ 0.3	+29.7	+27.4
1983	380	524	333	1,237	+14.5	+34.7	+40.5
1984	422	604	400	1,426	+11.1	+15.3	+20.1
1985	470	722	515	1,707	+11.5	+19.5	+28.7
1986	546	837	587	1,971	+16.1	+16.0	+14.0
1987	577	692	763	2,032	+ 5.7	-17.4	+30.0
1988	587	660	916	2,163	+ 1.7	- 4.6	+20.1
1989	611	608	1,040	2,260	+ 4.1	- 7.8	+13.5
1990	599	581	1,175	2,355	- 2.1	- 4.5	+13.0
1991	610	578	1,312	2,500	+ 2.0	- 0.6	+11.6
1992	636	569	1,459	2,664	+ 4.2	- 1.5	+11.2
1993	661	581	1,621	2,863	+ 4.0	+ 2.1	+11.1
1994	688	592	1,802	3,083	+ 4.1	+ 2.0	+11.2
1995	717	623	2,003	3,343	+ 4.1	+ 5.2	+11.1
1996	745	655	2,223	3,624	+ 4.0	+ 5.1	+11.0
1997	774	685	2,467	3,927	+ 4.0	+ 4.5	+11.0
1998	805	716	2,738	4,259	+ 3.9	+ 4.5	+11.0
1999	836	748	3,037	4,622	+ 3.9	+ 4.5	+10.9

* Cash. # Gross. Source: 1975-84, PKA analysis of Butterfield Communications group estimates; 1985-99 are PKA estimates. © 1990 TV PROGRAM INVESTOR.

182ND STORY of Level 1 printed in FULL format.

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Electronic Media

January 1, 1990

SECTION: THE 1980S A DECADE IN REVIEW; Syndication; Pg. 25

LENGTH: 1450 words

HEADLINE: Syndication boom;
Distributors build business empire in '80s

BYLINE: By MARIANNE PASKOWSKI, New York bureau chief

BODY:

The heady euphoria of the first-run syndication business in the early 1980s declined by decade's end into a sobering reality.

In fact, Bob Jacquemin, president of domestic syndication for Buena Vista Television, says many distributors have spent the last two years of this decade, "recovering from their earlier mistakes."

But the early '80s were intoxicating times indeed for syndicators and broadcasters both.

Syndicators were cranking out first-run shows in a frenzy to fill the thousands of newly-created hours of airtime from the hundreds of new independent TV stations that had signed on across the nation.

In 1980, there were just a handful of first-run shows airing, such as "The Mike Douglas Show" and "The Dinah Shore Show."

But by 1989, there were more than 120 daily and weekly strips on the air, not to mention the 300 syndicated specials that had flooded the marketplace.

Prices for all television programing -- first-run, off-network and movie packages -- had escalated by mid-decade to unheard-of levels as independents and affiliates alike often found themselves engaged in bidding wars to snatch up the cream of the crop.

The overall economy was robust, and broadcasters were banking on the double-digit revenue streams of years past to pay for all their new, high-priced shows.

But by decade's end, suppliers of first-run shows agreed that the marketplace was undergoing a fundamental change that could only diminish their business in the next decade.

If they have to pinpoint a time when the tide turned, syndicators usually point to 1986, when several poorly leveraged independent operators filed for bankruptcy and overextended operators tightened their belts, thus softening the marketplace for syndicated programs.

Two syndicators, in fact, went belly up in 1988: Syndicast Services and Access Syndication.

Syndicators also agree that early on in the decade they underestimated the impact cable would have on the first-run business.

"What I didn't predict properly in the beginning of the decade was the growth of cable," said Henry Siegel, chairman and president of LBS Communications. Mr. Siegel is one of the early players in the first-run business and is now looking to expand his business into other ancillary markets.

As cable grew, "national advertisers have pretty much turned their back on first-run B product, which is the bulk of the market," says Bob Turner, president of Orbis Communications.

That company was one of the many in 1989 that found higher bidders for its movie packages among the cable network crowd, rather than its traditional independent TV station customers.

Earlier, in the fall of 1986, another event occurred which would forever change the face of syndication.

Fox Broadcasting Co. launched as a fourth programing service that year, snatching up hours of precious time from syndicators.

By the end of 1989, syndicators were already hedging their bets that a fifth network, one to be established by MCA TV and Paramount Communications, would emerge in the early '90s, siphoning off even more time periods.

On top of that, syndicators saw another dark cloud building on the horizon: the likelihood that the new crowd in Washington would allow the three broadcast networks to reenter the syndication business.

All of these events would have seemed highly unlikely to syndicators in 1980, when it appeared that the world was their oyster.

That was the year "PM Magazine," a locally produced show on KPIX-TV, got the ball rolling as the first magazine strip for access time periods in national syndication.

It was also the year Al Masini, through his Television Program Enterprises division, launched Operation Prime Time, creating an ad hoc network of TV stations to carry his original, first-run movies.

But the first-run business really began to take off in 1981, when Paramount Domestic Television launched the first satellite-delivered magazine show, "Entertainment Tonight," a glitzy, star-studded program created by Mr. Masini.

That year, "People's Court," syndicated by a company then called Telepictures, also premiered with a splash.

The courtroom genre managed to survive through the decade, with Judge Wapner, by now a national pop-cult figure, still presiding over his "People's Court" in 1989.

By 1983, the year King World Productions came on the scene with its launch of "Wheel of Fortune" in syndication, revenues from barter advertising had risen to \$300 million, compared to the \$50 million in business posted in 1980.

1990 CRAIN COMMUNICATIONS INC., Electronic Media, January 1, 1990

That year also set a benchmark for first-run children's programming, when Group W Productions rolled out "He-Man and the Masters of the Universe."

That show was an instant ratings hit with children and redefined the children's programming business, sending other syndicators scrambling to get a piece of the action-adventure animation business.

In 1984, King World was back on the scene again with its second big hit in syndication, "Jeopardy."

A year later, Paramount, along with its partners Cox Enterprises and Taft Broadcasting Co. television stations, launched "America," their much-ballyhooed first-run magazine show.

"America" launched in September with high expectations but was yanked in December that same year after failing to find its audience.

King World, with the top two shows in syndication already under its belt, struck pay dirt again in 1986 when it launched "The Oprah Winfrey Show," a local talk show produced by WLS-TV in Chicago, into national syndication.

"Oprah" quickly became the third-highest-rated show in syndication, making King World the kingpin of the first-run business.

The NBC owned-and-operated stations made some headlines of their own in 1987 when they checkerboarded their valuable access time periods with five different first-run sitcoms.

That effort lasted all of three months. After seeing the lackluster ratings, stations went back to what had worked in the past: first-run game shows and magazine strips.

That year Buena Vista Television also made waves when it launched what was to become a highly successful animated strip, "DuckTales," a project that led to a new interest of the industry in softer, kinder animation.

Tribune Entertainment Co. got a pleasant surprise and its own share of headlines in 1987 when Geraldo Rivera opened up Al Capone's empty vault in a live, special event that set a record as the highest-rated syndicated special.

Not surprisingly, that event quickly sent other syndicators scrambling for the next big hit, and LBS found one a year later when it launched "Search For the Titanic . . . Ilve," which became the second-highest-rated such special.

Paramount took center stage again in 1987 when it launched its ambitious "Star Trek: The Next Generation," with production costs upward of \$1.5 million per episode.

Then, somewhat surprisingly in 1988, Grant Tinker emerged as a player on the first-run scene when his GTG Entertainment, a new venture funded by Gannett Co., launched "USA Today: The Television Show" with a \$40 million budget.

That costly effort was gobbled up by 155 network affiliates who bought the show without seeing a pilot. It was aborted a year later, an event which soon led to a parting of the ways between Mr. Tinker and Gannett.

That failure taught the industry two lessons, says Dick Kurlander, vice president and director of programing at Petry Television. "Never buy a show without a pilot and never buy a show with this country's name in it," he says, referring to the aforementioned "America."

But 1988 was a year that also had its share of success stories, such as the launch of the first tabloid-style magazine show, "A Current Affair," from Fox Television Stations.

Hosted by Maury Povich, that show led TV's version of the tabloid wars. "Inside Edition" from King World and later "Hard Copy" from Paramount emerged as competitors.

1988 also saw the return of "Family Feud" from "LBS, a show that had been No. 1 in syndication in 1983 until "Wheel of Fortune," knocked it from its perch.

If 1988 will be remembered for anything, it will certainly be the rash of "trash TV" headlines with "The Morton Downey Jr. Show" at center stage.

Mr. Downey was canceled in the summer of 1989 because of lack of advertiser support, but "the mouth" re-emerged on the CNBC cable network later that year.

Judging from the glowing cover stories in both the consumer and trade press for 1989, the year was also one to be remembered for Arsenio Hall, who premiered in Paramount Domestic Television's "The Arsenio Hall Show."

That show woke up the late-night audience and sent other syndicators looking to capitalize on the success of the suddenly hot daypart.

GRAPHIC: Picture 1, "The Arsenio Hall Show" woke up late-night viewers and syndicators alike in 1989; Picture 2, In 1980, "PM Magazine" broke ground as a national tabloid strip in access, and syndicators were on a roll; Picture 3, "The People's Court" premiered in 1981 and ushered in what was to become a popular new genre: the courtroom show

Television Programming SOURCE BOOKS™

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1989

TELEVISION: THE BUSINESS OF PROGRAMMING

by Jack Loftus

This *Television Programming Source Book* is about programming – what's available, who owns it, how to get it – and is the most authoritative reference work of its kind. Programming is the core of the television business. Everything else – the money, the people, technology, advertising, even the corporations – depend on programming to bring the whole extraordinary business of entertainment together for the amusement and sometimes benefit of the grazing herds of consumers. The business of television is reported and analyzed every month in our sister publication, *Channels*, and wrapped up in *Channels'* year-end *Field Guide*, a thorough assessment of where the communications industries stand at year's end as well as a look into the coming year.

This introduction to the 1989 *Television Programming Source Book* is a brief overview of the forces that influence or are influenced by programming – including the economic climate, the emergence of cable television, the erosion of network shares, international markets, trends in syndication (first-run and off-network, series and movie packaging, auctions and the birth of barter), the growth of Hispanic programming in the U.S. and the emergence of unwired networks as a major force in television sales.

A STATE OF FLUX

The whole business of programming – who makes it, who owns it and who pays for it – is in a state of flux. The players are changing – usually consolidating – in the U.S. and throughout the world. In Western Europe and Great Britain this flux is the result of privatization, the birth of satellite television and the emergence of the European Community; in Australia the ownership of all the major networks has changed hands; and most recently in the United States, Time Inc. and Warner Communications are making plans to build the biggest entertainment conglomerate in the world. Indeed, foreign ownership of U.S. entertainment companies has become commonplace. Three years ago Rupert Murdoch's News Corpora-

tion bought 20th Century Fox and the race was on. In the last year, Britain's TVS Entertainment bought MTM Enterprises, Italian financier Giancarlo Parretti bid for New World Entertainment (but lost out to Revlon's chairman Ronald O. Perelman), and Australia's Qintex Entertainment has made a bid for United Artists. Japan's Sony Corp. is shopping around Hollywood as well.

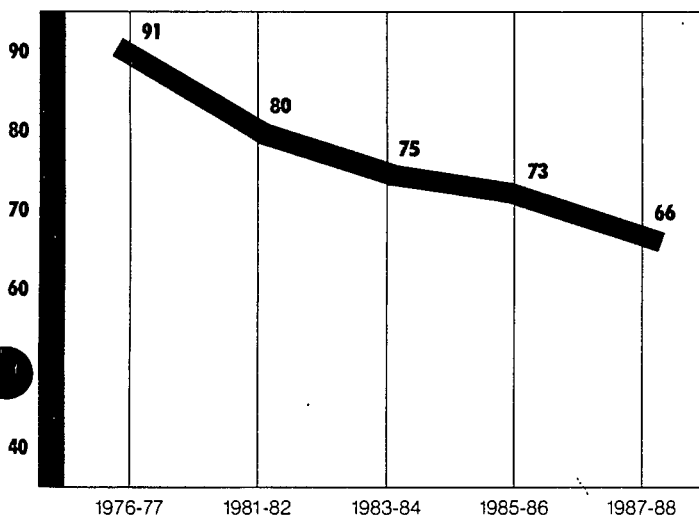
On the playing field where programmers must compete, network television shares continue to erode as the audience grazes over the spectrum that independent stations and cable television have created. The entire syndication business seems stalled in traffic; television stations grope through a foggy economy with little money available to fuel the new productions that distributors need in order to shift into passing gear. And the glut of programs that are out there on the highway leaves little room for newcomers.

Compounding the problem is the threat from ABC, CBS and NBC to begin making wholesale cuts in affiliate compensation (threatening stations' ability to pay for programs), or using that leverage to hold the line against preemptions (and hurting the chances for syndicators to pitch ad-hoc networks to affiliates). The networks, meanwhile, are preparing for 1990, when most restrictions on the networks' ability to produce in-house will be lifted, thereby giving them a greater financial interest in the programs they air. The next step is for the networks to break into the syndication market itself, if a political compromise can be reached with Washington, Hollywood and independent distributors.

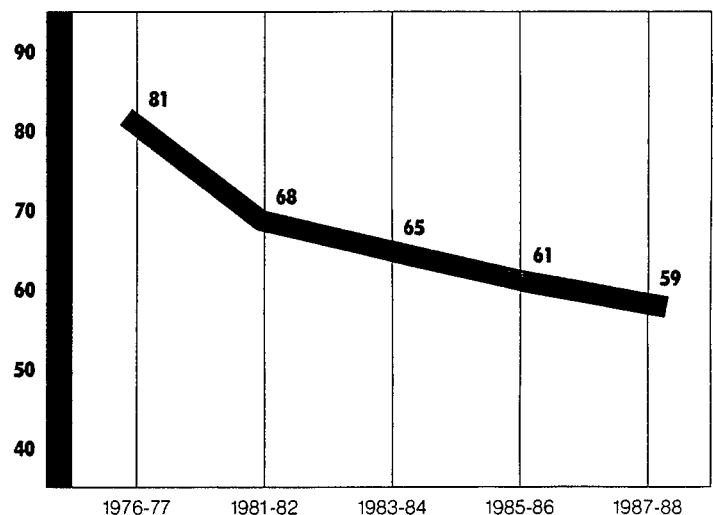
The gatekeeper, cable television, continues to prosper. Doom-&-gloom predictions about a shakeout among the many programming channels have failed to materialize. Actually, the opposite has happened. Cable's powerful locomotive, the pay-movie services, once pulled the basic programming channels along the track and into the home like so many boxcars. Today, bolstered with dual sources of income – from subscriber fees and advertising – these basic networks have

BROADCAST NETWORK SHARE TRENDS

Primetime



Daytime



become players in the syndication and sports markets, bidding aggressively for anything that moves, attracting spot television dollars and even paying for original productions. At USA Network, for example, president Kay Koplovitz has a two-year, \$250 million budget for original productions that includes 24 movie titles for 1989 (made-for-USA movies), each budgeted at \$2.5 million. "I think that good, highly visible, competitive original product is a mandate," says Koplovitz.

FIRST-RUN SYNDICATION: THE FIGHTING CHANCE

Talk show host Phil Donahue once looked over the network landscape where one programming czar could kill a show before breakfast and decided he'd take his chances with syndication. "In syndication if they don't like me in Peoria, I still have a chance in Indianapolis," he said. That's only partially true, of course, and Donahue is only one of an army of minstrels, touting magazines and tabloids, game shows and court shows, new wave and outrage, and if all else fails, *deja vu*.

Ironically, the most successful first-run shows in syndication are the ones that cost the least to produce. Game shows are the bread and butter of first-run, and the contemporary champs are *Wheel of Fortune* and *Jeopardy*. In addition to making a fortune for the distributor, King World, and the barter company, Camelot, *Wheel* and *Jeopardy* continue to dominate prime time access, giving affiliates strong leads into network prime time, or, when used in other dayparts, into local newscasts.

If anything, syndication is a business of follow the leader — game shows beget game shows, courtroom shows beget more courtroom shows, talk-talk, tabloid-tabloid, and so on. In the courtroom genre, for example, *People's Court* came on the scene in 1981 and was quickly followed by *Divorce Court*, *Superior Court*, *The Judge* and, most recently, *Trial by Jury*. For the lovelorn, there's *Love Connection*, *The Newlywed Game*, *The New Newlywed Game*, *The Dating Game* and *The All New Dating Game*.

On the other end of the spectrum are the magazine shows, slick looking and expensive. *USA Today: the Television Series*, a first-run hour strip from GTG Entertainment, plunged into the market last year despite the failure of *America*, a similar strip. USA has had some rough going, but that has not dissuaded others from taking the gamble, including King World's *Inside Edition*, Paramount's *Tabloid*, Group W's *This Evening* and MCA TV's *Inside Story*.

In the reality genres of talk/interview shows, the competition is fierce, the audience fickle, while the shows themselves vacillate between the courageous and outrageous. *Donahue!*, which ruled the genre for years, faces strong competition from *The Oprah Winfrey Show*. Others include *Sally Jessy Raphael*, *Live with Regis & Kathie Lee*, and so on. Adding to the mix is *Geraldo* and *The Morton Downey Jr. Show*, both roundly roasted for the controversy they generate but still drawing audiences. Morality in media has once again become an issue in America.

These reality shows may have produced a backlash of sorts, as reflected in the *deja vu* trend for remakes of such classics as *Lassie*, *Dragnet*, *Adam 12*, *Rin-Tin-Tin*, *Leave It To Beaver* and *Gilligan's Island*. Distributors hope the baby-boom generation of people 29 to 44 who enjoyed the original series will flock to the remakes, while for those who never saw the originals, maybe these shows can work their magic again. Sometimes returning to successful genres can be successful, as Paramount discovered with its remake of the *Star Trek* cult series, called *Star Trek: The Next Generation*.

CASH OR BARTER: WHO'S ON FIRST?

If the FCC was the father of syndication (via the prime-time access rule), then barter is its banker, opening up a gross revenue stream that hit \$900 million in 1988 and should top \$1 billion in 1989. While the money's there; the time slots are not. Two years ago when stations began dumping news and

plugging in double access, syndicators poured millions into first-run barter programs. America hadn't seen anything like it since the days of the Oklahoma Land Rush. But after the settlement, time slots dried up; successful shows — even moderately successful shows — stayed put, leaving the spillover with few other homesteads, except late-night. Thus, syndication, always a cut-throat business, has become even more so.

The barter boom began with *The Mike Douglas Show*, the most successful syndicated show of its kind in the mid-'70s. When Douglas negotiated a new contract paying him \$2 million a year, Group W, the distributor, found itself unable to cover its costs through cash sales to stations. So in addition to the cash, the company held back two 30-second spots. It was the birth of barter.

Today, most successful shows in syndication — both first-run and off-network — have some barter time attached. As barter boomed, distributors created barter sales departments, then formed barter alliances such as Camelot, Group W, NMS, Teletrib, IAS, TV Horizons, Spectrum and others involving several distributors each.

The dynamics between station and distributor in the syndication business is no longer a function of loyalty and friendship, especially when a hot show is involved. Serious money and new marketing techniques changed all that. But if stations were miffed when Group W introduced barter in addition to cash for *The Mike Douglas Show*, a visible shudder went through the industry when the hit off-network half-hour *Happy Days* moved into syndication in 1984. The late Ken Joseph of Paramount came up with a new cash-and-carry idea. He put together a closed-bidding process in which stations in every market submitted sealed bids for *Happy Days*. The result was record license fees for Paramount, accompanied by grumblings from stations, mostly from the losers, and wide-open debate about whether stations could afford to pay such prices and still cover costs through higher and higher advertising rates. Some stations couldn't.

But for the most part, there were no limits, and when *Magnum P.I.* burst on the scene, the bidding wars raged once again, though in retrospect *Magnum* prices represented the high point for off-network hour shows in syndication. Today, as a general rule, hour shows have more difficulty in syndication because of, among other reasons, a glut in off-network and first-run half hours in the pipeline. Off-network hours, however, have found acceptable prices and audiences on cable television.

Off-network half hours still have plenty of sizzle in syndication. When Viacom began selling *The Cosby Show* in syndication last year, it created a dual bidding scheme with all the flavor of a tobacco auction. In addition to a cash bidding process market by market among stations, Viacom withheld one minute for national barter and auctioned the time to the highest bidder up front. The entire three-and-a-half year barter package of 1,820 spots was snapped up by Group W (which resold its 546 units), Procter & Gamble and General Foods.

IN THE DRIVER'S SEAT

Not every show coming off-network or in first-run syndication has the potential of a *Cosby* or, most recently, *Who's the Boss* or a *Jeopardy* or a *Wheel*. There's a lot out there from which stations can pick and choose, particularly in the barter category. With so many barter shows huddled in the middle-share ranges, stations are finding themselves in the driver's seat, demanding that distributors go the extra mile in order to make the sale. Genesis Entertainment did just that. Distributor of *The Judge*, *Highway to Heaven* and *The Best of the National Geographic*, Genesis is aggressively wooing stations by helping them sell local inventory in Genesis-supplied programs.

Buying programs as a group can also put stations in the driver's seat. At the 1989 NATPE in Houston, for example,

Sitcoms in syndication: Too much of a good thing?

Market prepares for flood of off-network comedies, with buyers taking upper hand

A marketplace that just a few years ago was hungry for off-network sitcoms now threatens to be sated for such fare. Behind the big change: an avalanche of situation comedies that has created a buyer's market for such material. It's a condition not limited to the upcoming season but one that could stretch well into the 1990's, with such first- or second-year network hits as *Roseanne*, *Married With Children*, *The Wonder Years* and *A Different World* projected as 1991 or 1992 launches.

The seller's market of a few years ago has given way to a buyer's market today, with stations able to select from a larger pool of product and also less willing to pay top dollar for one show when there are others that may fit their needs at sometimes half the cost.

"From a station's perspective it's great," said Dick Kurlander, vice president, director of programming, Petry Television, of the increased availability of sitcoms now in the market. "It's strictly a supply

and demand business, and the supply looks good until 1992," he said.

"While glut may be too strong a word to describe what's going on," said John Von Soosten, vice president, director of programming, Katz Communications, "there is a relatively large number of sitcoms available over the next few years that is creating a buyer's market." Illustrating that product availability is cyclical, Von Soosten pointed to the 1979 network season when sitcoms held nine of the top 10 spots in the ratings, and four years later, in the 1983-84 season, there were no sitcoms in the top 10. "In 1983-84, the highest-ranked sitcom on the networks was *AfterMash*, which was ranked 15th," he said. In 1986, *The Facts of Life* was the only off-net sitcom offered into syndication with a full complement of episodes, according to Von Soosten.

In 1988, the number of off-net sitcoms

launched into syndication jumped to four (*The Cosby Show*, *Night Court*, *Newhart* and *Kate & Allie*). This fall, there are three more available: *Who's the Boss?*, *Growing Pains* and *Mr. Belvedere*. In 1990, seven more sitcoms hit the market: *ALF*, *Golden Girls*, *Amen*, 227, *Perfect Strangers*, *Head of the Class* and *The Hogan Family*. Also for 1991 or 1992, projected off-network sitcom launches include *Full House*, *Married With Children*, *Designing Women*, *Different World*, *Roseanne*, *The Wonder Years*, *My Two Dads*, *Just the Ten of Us* and *Murphy Brown*. In addition to the above list of off-network shows, also making their way into the crowded marketplace are off-cable comedies such as *Brothers*, being sold for this fall, and such first-run produced comedies being sold for stripping as *Mama's Family* and *Small Wonder*, both also for this fall.



'Head of the Class'



'Perfect Strangers'



'The Cosby Show'



'Golden Girls'



'Wonder Years'

Kurlander said there are two factors working in the market at present, the wealth of product and what he calls the "Cosby factor." Saying that in many markets *The Cosby Show* has neither been "a hit nor a failure," Kurlander believes the backlash due to the prices paid for *Cosby* are causing a leveling off of prices for present and future sitcoms sold in the syndication market.

"Reality has come," he said. "Stations are being more realistic in their expectation levels measured against costs. If you can get a six rating with *Growing Pains*, and a seven rating with *Who's the Boss?*, why would I want to pay triple [for *Who's the Boss?*]?" he said.

"There is no other property in the market that is achieving the kind of demographics that *Cosby* is," said Joe Zaleski, president, Viacom Domestic Syndication. "It has definitely been the phenomenon of the '80's. The show has had a halo effect in New York, on WWOR-TV, where it has created nothing but a better image for that station's other lead-in and lead-out programming," he said.

Using the Los Angeles market as an example, Kurlander said KCOP-TV will have to average "somewhere around an 11 rating for the life of the contract just to break even, and they won't be able to rest it. It will just have to run and run." According to the Nielsen May books, *Cosby* is averaging a 6.9 rating. One station source in the market said the cost to KCOP is \$350,000 an episode. Kurlander agreed with the source who suggested the station could be losing as much as \$20,000 a day on the show.

On *Cosby*'s performance on KCOP, Zales-

ki said, "I think the ratings have been pretty strong," cautioning that: "I don't think you can look at just the body of what the show does in a particular market, but rather what it does for lead-in programming in the early and late fringe. KCOP-TV may not be using it well as lead-out programming against the other stations' local news," he said.

"*Cosby* is still the number-one ranked show in its time period," said Bill Frank, president and general manager, KCOP. In spite of its performance to date, Frank said he had thought the show would be about "10% stronger and would have had more of a halo effect." Frank doesn't believe the "prices paid for *The Cosby Show* and *Who's the Boss?* will be seen again for years." Would he buy *Cosby* again? "I don't know," Frank said.

One example of a market backed up with available product is Chicago, where *ALF*, *Amen*, *Golden Girls*, *Perfect Strangers* and *227* have yet to be cleared.

Columbia's *227*, launched just four weeks ago, seems to be one such show feeling the effects of the crowded marketplace. According to both rep and station sources, Columbia has been unable to clear the show in any of the top three markets due to a demanding floor price and the availability of other product. One station manager in Los Angeles, who said Columbia is setting the floor for *227* at \$160,000 an episode, doesn't think anyone in the market has bid on the show. Characterizing the price as "out of line," he said: "If you put *The Cosby Show* and *Who's the Boss?* in the highest category, the price for *227* makes it higher than any others that have been sold in the market. People just aren't jumping at

shows that aren't considered first-rank." "After the debacle of *Cosby*, with the money that stations are losing, people are watching what they pay," he said.

In the Chicago market where *227* is joined by other sitcoms waiting to be cleared, a station source said Columbia's floor price has been set at \$80,000 an episode and there were no bidders. "We've got a situation now where there's a lot of supply in the market compared to a few years ago," he said.

"It's a much more complex marketplace today than a few years ago," said Barry Thurston, president, syndication, Columbia Pictures Television. Thurston declined to comment on specific prices for the show, citing ongoing negotiations. However, he did say that individual markets are the best determinant of prices. "There are a number of shows backed up in major markets, but it's just a matter of time before some of those shows will be sold. I don't think the marketplace has had an effect on the selling of *227*. We are in the beginning stages of a comprehensive presentation for the selling of the show, and there's not an urgency for us to have to sell *227*. The show has been number one in its time slot for the past three years, and it doesn't come under the heading of shows that I would be nervous about," he said.

"Years ago, stations in a market had three or four comedies to choose from," said Thurston. "In the last four years, buyers haven't had the choices that they will have in the next few years. Buyers will have to be more selective now. In the past, some shows were bought by stations not because they were the best for their station.

Week 35: NBC 13.3/23, CBS 12/21, ABC 11.6/20

NBC won the ratings week, but ABC took the top two slots with *Ma McClure* and *Roseanne*. In the evening news race, it was the *ABC Sunday Movie*, *Everybody's Baby: The Rescue of Jesse*. ABC on top with a 9.4/21, then CBS's 9.2/20 and NBC's 8.2/18.

Nielsen	□	Net	□	Show
1.	22.9/36	A	ABC Sunday Movie	
2.	21.6/33	A	Roseanne	
3.	20.2/37	N	Cosby Show	
4.	18.9/31	N	Cheers	
5.	18.4/29	A	Wonder Years	
6.	18.4/31	N	L.A. Law	
7	18.0/30	C	Knots Landing	
8.	17.6/30	C	Murder, She Wrote	
9.	17.2/35	C	60 Minutes	
10.	17.0/27	N	NBC Monday Movie	
11.	16.8/29	A	Who's the Boss?	
12.	16.7/28	N	Matlock	
13.	16.6/32	N	Golden Girls	
14.	16.2/31	N	Empty Nest	
15.	16.2/25	N	In the Heat of the Night	
16.	15.8/25	N	Dear John	
17.	15.5/24	A	Have Faith	
18.	15.4/30	N	Kenny, Dolly and Willie	
19.	15.1/25	N	Night Court	
20.	14.8/27	N	Unsolved Mysteries	
21.	14.7/23	N	NBC Sunday Movie	
22.	14.1/26	C	Dallas	
23.	13.9/23	C	Jake and the Fatman	
24.	13.5/26	C	CBS News Special Report. 1	
25.	13.2/22	A	MacGyver	
26.	12.9/24	A	Growing Pains	
27.	12.8/24	A	20/20	
28.	12.8/20	C	CBS Sunday Movie	
29.	12.7/23	A	Head of the Class	
30.	12.7/19	C	Designing Women	
31.	12.7/25	C	Falcon Crest	
32.	12.7/21	N	ALF	
33.	12.6/20	C	Newhart	
34.	12.5/21	A	thirtysomething	
35.	12.5/22	C	Wiseguy	

Nielsen	□	Net	□	Show
36.	12.4/19	C		Murphy Brown
37	12.3/24	A		Full House
38	12.2/20	A		ABC Mystery Movie
39.	11.8/20	N		Midnight Caller
40.	11.7/21	A		Roseanna, special
41	10.9/18	A		Wonder Years, special
42	10.9/18	C		CBS Tuesday Movie
43.	10.9/19	C		Kate and Allie
44.	10.9/18	C		Ringling Brothers Circus
45.	10.8/20	A		Mr. Belvedere
46.	10.7/23	A		Perfect Strangers
47	10.6/17	F		Murder With Children
48.	10.5/21	N		One of the Boys
49.	10.5/19	N		Quantum Leap
50	10.0/18	A		Just the Ten of Us
51.	9.7/16	A		Coach
52.	9.5/21	N		227
53	9.4/19	C		Beauty and the Beast
54	8.8/16	C		Cardiac Camera on Wheels
55	8.7/15	A		China Beach
56	8.5/14	C		Tour of Duty
57	8.2/15	C		48 Hours
58	8.1/14	F		America's Most Wanted
59	7.9/13	A		Robert Guillaume Show
60	7.3/15	C		Jesse Hawkes
61	7.3/13	A		ABC Family Classic
62	7.1/12	F		FOX Monday Movie
63	6.6/16	C		Paradise
64	6.5/14	N		NBC Friday Movie
65	6.4/14	C		West 57th
66	7.3/12	A		ABC News Special
67	7.3/12	N		Hunter special
68.	6.6/13	F		21 Jump Street
69.	6.6/13	N		Magical World of Disney
70	6.5/13	A		North and South Book II, part 2

Nielsen	□	Net	□	Show
71	6.3/13	A		Mission: Impossible
72	4.9/10	A		Under Fire: The Real Story
73	4.9/6	F		Cops
74	4.9/9	N		Dream Street
75	4.6/7	F		Tracey Ullman Hour
76	3.5/7	F		Reporters
77	3.2/6	F		Beyond Tomorrow
78	3.1/5	F		Duet

Syndication Scorecard *

(Week ending May 14)

Rtg.	Show	Stns.	Covg.
1	13.6 Wheel of Fortune, syn.	230	34
2	12.2 Jeopardy	208	31
3	10.0 Cosby Show	198	31
4	9.7 Star Trek	232	31
5	8.6 Oprah Winfrey Show	218	34
6	8.3 Wheel of Fortune, wknd.	206	93
7	7.1 Current Affair	149	31
8	6.9 Entertainment Tonight	169	93
9	6.1 Geraldo	200	99
10	6.0 Donahue	226	98
11	6.0 People's Court	188	94
12	5.7 Friday the 13th	216	96
13	5.7 Star Search	149	36
14	5.6 War of the Worlds	221	95
15	5.4 Mama's Family, syn.	192	93
The following programs are included, but not ranked			
9.0	World Wrestling Fed.	242	97

Fun in France

Bob Hope, whose comedy and variety specials have entertained audiences of several generations on NBC, has signed with the network through the 1989-90 season for an unprecedented 40th year of television programming. Hope, 86, celebrated his birthday last Wednesday with his special *Ooh-La-La—It's Bob Hope's Fun Birthday Spectacular from Paris' Bicentennial*. The Paris taping captured Hope being awarded the French Legion of Honor in recognition of his contributions to the entertainment industry around the world. Hope has done more than 300 televised specials for NBC in four decades, and has dedicated at least one show a year to entertaining American troops.

but because they were the only ones available," he said. "It [the market conditions] forces us to become more of a salesman than ever before," he said.

Dick Robertson, president, Warner Brothers Domestic Television Distribution, said that next to a transmitter, off-network programming is the most important buy for a station. "[Buying] off-network is different than first-run," he said, "in that when you buy off-network, you're deciding to buy for up to four years before you've seen how it's going to do in syndication."

In order to better gauge how an off-network sitcom will perform in syndication, Robertson said that Warner has compiled 12 years of research to look for similar factors in past syndication successes and failures. "We sat down and looked at column A and column B and found a similar pattern among the shows that worked and those that didn't," he said. The Warner research found that off-network shows that can be expected to work well in syndication

have strong appeal among young adults, teenagers and children. According to the research, shows such as *Who's the Boss?*, *Growing Pains* and *ALF* can be expected to perform well, while shows such as *Mr. Belvedere*, *Golden Girls*, and *Amen*, which skew somewhat older, are considered "high risk."

Discovery shows off new fall season

Among its offerings are specials on Africa, India and Shark Week II

Discovery Channel launches its fall season with a special program called *Safari Live! Africa Watch*, which airs Sept. 22-24. Discovery announced its plans for the fall season at last week's NCTA convention. The program is a co-production with the BBC Natural History Unit. Another documentary

is slated for Sept. 26, entitled *Ivory Wars*. Produced in association with the World Wildlife Fund, it will examine the illegal import and export of ivory tusks. The one-hour production will be presented Oct. 9 at the annual meeting of the Convention of International Trade in Endangered Species in Lausanne, Switzerland.

Additional upcoming programs on Discovery's schedule include *Return to Tarawa*, July 2 at 10 p.m., a one-hour special feature on a battle in the Central Pacific, one of the bloodiest of World War II.

Also, July 2 at 8 p.m., the channel will show the first in a four-part series called *Hot House People*. The program looks at the concept of "hot housing," which is a theory of increasing human intellect through an intensive learning environment, or the idea of extending longevity through rigorous exercise and rigid diet.

"The Riddle of Midnight" debuts July 9 at 9:30 p.m. The film looks at India through the eyes of author Salman Rushdie, who returns to his childhood home. It is based on Rushdie's 1980 novel, "Midnight's Children." Also, July 30 through Aug. 6, Discovery will present 13 programs devoted to sharks in its Shark Week II.

New faces for new format at Disney's KHJ-TV

Los Angeles station completes major personnel changes as it readies to increase prime time news offerings

KHJ-TV Los Angeles has completed major management changes in what is seen as a prelude to its anticipated switch to an all-news prime time schedule (BROADCASTING, May 15). The Disney-owned independent is negotiating with long-time KABC-TV Los Angeles anchor Jerry Dunphy. In addition, Disney announced the immediate resignation of KHJ-TV General Manager Chuck Velona, replacing him with Blake Byrne as president-general manager. Disney also named Jim Saunders as executive vice president-manager.

Dunphy, who is closing out a multi-year \$700,000-plus annual contract at KABC-TV, is one of a number of candidates negotiat



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Mystery solved

NBC's *Unsolved Mysteries* helped lead to the capture of Sheldon Weinberg. Weinberg fled New York City five months ago to avoid sentencing in January for the theft of \$16 million in Medicaid funds, the biggest fraud in the social program's 22-year history. An anonymous caller told the FBI of Weinberg's alias and address in Scottsdale, Ariz., after seeing the case recounted on the show May 17. Weinberg and his two sons, now in jail, were convicted on charges of filing 381,000 fake Medicaid claims from clinics they operated in the Bedford-Stuyvesant and Bushwick sections of Brooklyn in 1980-87.

Programming

Sitcoms: The (lower?) price of success



Class of 90-91: 'Perfect Strangers,' 'ALF' and 'Golden Girls'

Stations may be having last laugh, with proliferation of comedies appearing to cut prices in half from record highs of few years ago

According to a number of television station managers around the country, the glut of off-network sitcoms in syndication has resulted in dramatic declines in license fees for many of the comedies new to the marketplace. In some cases, managers suggest, license fees for shows are half or less what they might have been several years ago, when sitcoms were selling at record highs.

For example, in Boston, the sixth largest market, sources said *Golden Girls*, generally expected to be one of the top performers of the 1990 class of off-network comedies, has an asking price of \$67,000 per episode. *Cosby*, which airs on the weekends only on WCVB-TV, cost the station \$120,000 per week.

Although *Golden Girls* is being offered on a per episode basis, while *Cosby* was sold on a weekly basis, for the purposes of comparison, sources said the weekly asking price of *Girls* in Boston works out to about \$41,000 per week, or about 65% less than *Cosby* went for.

The 1990-91 syndication season will usher in a record eight new sitcoms, including seven off-network comedies, as well as MCA's weekly first-run *Out of this World*, which is going to strip.

Other comedies hitting the airwaves in syndication this year include *ALF*, *Head of the Class*, *Perfect Strangers*, and *Hogan Family*, all from Warner Bros., MCA TV's *Amen* and Columbia Pictures Television's *227*.

"The *Cosby* price was the plateau to end all plateaus," said Jack Lease, vice president, operations and program director, WXIA-TV Atlanta. And future hit comedies,

no matter how popular, said Lease, won't reach *Cosby* price levels. "I don't feel *Roseanne* will bring anywhere near what *Cosby* earned from stations," said Lease.

Although distributors have indicated those shows have been widely cleared, station managers say that's the case only because syndicators have been willing to trim substantially the license fees for much of the available product.

Michael Fisher, vice president and general manager, KXLN-TV Sacramento, Calif., said he picked up *ALF* and *Perfect Strangers* from Warner Bros. at "half the prices paid for similar A-ranked sitcoms of a few years ago."

The price declines, said Fisher, will help the overall health of the station business, particularly smaller stations. "Sacramento is not nearly as high priced as other major markets, but in terms of relative value, these reductions in licensing fees can finally help smaller market stations from going into Chapter 11."

In Detroit, market sources said Warner Bros. sold *Perfect Strangers* for less than \$20,000 per episode, and *ALF* for less than \$30,000. *Cosby* went for well over \$100,000 per episode in the market, sources said.

Buena Vista Television President Bob Jacquemin, who said his Disney Studios subsidiary has cleared *Golden Girls* in 120 markets, characterized the influx of off-network product as falling into a "two-tier pricing structure," with one level of "premium" licensed product and a level of "secondary quality product" pricing, but he declined to identify which new product falls into those categories. Jacquemin estimated that out of the top 20 markets, *Golden Girls* will earn \$1.5 million on a per episode licensing basis, which would mean that it would average \$75,000 per episode

in those top markets.

Of Warner Bros.' stable of sitcom product, Keith Samples, senior vice president, off-network syndication, Warner Bros. Domestic TV, says *ALF* has cleared in 159 markets (over 90% coverage) with 80% of its clearances in access. *Head of the Class* and *Perfect Strangers* have each cleared in 120-plus markets and *The Hogan Family* has been sold in 75 markets. Samples characterized his programs as "moderately priced" without further elaboration, and added that he sees all four programs as strong 6-8 p.m. prime access contenders with stations possibly exercising 1991-92 options on *Perfect Strangers* and *Head of the Class* due to the "glut of product in access next season."

MCA officials were unavailable to comment on how sales were going for *Amen* and *Out of this World*, as were Columbia executives on the status of *227* in the current market. One station representative estimated that all three programs are at or approaching the 100-station clearance plateau.

"We are going into a season with the largest group of sitcoms I have seen hit the market since I started my career, and we certainly have the largest number of incumbent off-network sitcoms left in syndication," Samples said. "The market has *Cosby*, *Night Court*, *Cheers*, *Growing Pains* and *Who's the Boss?* doing extremely well in the ratings, and it looks like [Paramount's] *Family Ties* is the only sitcom starting to get its legs in access [from a 6.5 rating/13 share in February 1989 Cassandra NTI ratings to a 4.5/10 in the latest sweeps period]." In fact, Paramount's *Cheers* held even at 7.3/15, Warner Bros.' *Night Court* (7.3/16) and *Growing Pains* (5.9/11) stayed even, comparing year-ago sweeps, while this season's entry of Columbia's *Who's the*

Boss? (7.3/14) improved slightly over last November's sweeps period (6.8/13).

"I think the market has been very vocal in recent years about demanding consistent off-network sitcom performers," said John von Soosten, vice president and director of programming for Katz Television. "Certainly, the last four years have been marked by an unprecedented amount of quality sitcoms, but I still feel stations should be helped in areas of pricing among some of the higher quality sitcoms." MF

NBC goes with its strong suit next season

Number-one network will probably drop a movie night and switch to series when schedule comes out

NBC, the outright winner of usually three nights each week with series programming, will more than likely add another night of series programming to its schedule when the fall lineup is announced later this month.

According to Warren Littlefield, executive vice president, prime time programs, NBC Entertainment, executives haven't decided whether the Sunday or Monday night movie will be dropped in favor of the sixth night of series. He said a drop in audience levels for movies and a strong development slate, as well as a desire to "make an investment for the future," were the reasons for the move.

Littlefield cautioned the decision isn't final: "We won't do it if we feel our strongest product would be better used Tuesday through Saturday," he said, but added, "right now it looks like we will."

CBS was the most recent of the three networks to start the season with six nights of series programming, kicking off the current season with an all-comedy lineup on Monday night, and debuting three rookie drama series on Tuesday night, which had been a movie night during most of the 1988-89 season. This season, CBS eventually gave way to movies on Tuesday night after two of the three dramas, *Wolf* and *Island Son*, were dropped.

Reinforcing the idea of a strong development slate this year at NBC, which will enable it to open up another night of series programming, is the strong performance of several NBC spring series. Although ABC has been the benefactor of much of the attention this spring, thanks to the buzz surrounding *Twin Peaks*, and the ratings prowess of *America's Funniest Home Videos*, which debuted in January, it is NBC's spring series that are the strongest performers of those that have debuted since the end of February.

Of the 15 series which debuted this spring, NBC's six averaged a 12.7 rating/23 share, versus the 10/18 averaged by ABC's five tryouts, and the 9.2/16 average



'Wings'



'Carol & Co.'

of CBS's four spring entries.

Wings, which follows *Cheers* at 9:30 on Thursday, has averaged an 18.3/29 in its two airings, an improvement over the numbers done by *Grand*, which had been in the time period. Littlefield says the audience delivered to *Wings* from powerhouse *Cheers* shouldn't minimize the performance of the new show. "We always thought it would match up well with *Cheers*, and *Cheers* helps us. But we learned you've got to have a strong show following. Look at the shows that have followed *America's Funniest Home Videos*," he said.

Carol & Co., which airs on Saturday night at 10-10:30, has averaged a 15.7/30 in its five outings, and has improved the time slot's numbers since *Hunter* was moved out of the 10-11 period. The new show, starring Carol Burnett, is dropping only one share point from the lead-in from *Empty Nest*, compared to the six share points which the first half-hour of *Hunter* used to lose.

Although NBC has the top-rated spring

series, not all of its attempts have met with the same success. The highly touted *A Family for Joe*, starring Robert Mitchum, has a 9.9/19 average on Saturday at 8 p.m. and Littlefield acknowledges the show hasn't performed to expectations. "Obviously we wish it were stronger, it's not doing what we thought it would do," he said.

On the other hand, Littlefield said both *Wings* and *Carol & Co.* should be on the fall schedule. "I'd say if you were at the betting window, that would be a good bet." He also said *Carol & Co.* would more than likely remain on Saturday night next season.

The network isn't finished with its spring experiments, planning a May 31 premiere for *The Seinfeld Chronicles*. NBC has four episodes of the comedy starring Jerry Seinfeld, and Littlefield says because the show debuts after the fall schedule is announced, it won't have a place on the lineup. However, if it performs well in its short run, it will have backup status in the fall. -SC

Summer's specials on PBS

Public television uses the summer to launch new programming, including three-parter hosted by Ted Koppel

The Public Broadcasting System's 1990 summer season, which kicks off June 10 with a three-part special hosted by ABC's *Nightline* anchor Ted Koppel, will offer a mix of music, public affairs, drama and documentaries. New series, established series with all-new lineups and repeats will round out the PBS schedule.

"We start from the premise that the summer is an opportunity to present new material," said Barry Chase, PBS vice president, programming. "We fill out our schedule with repeats rather than build from them."

The 21st Century: World Without Walls, airing June 10-12, marks the first program Koppel is hosting for PBS. These hour-long

shows examine the "globalization of the world," according to Chase, following the dramatic political activities of 1989. Entitled "After the Cold War," "Winners and Losers in the Global Marketplace" and "Can Culture Survive the Communications Revolution," the programs feature Koppel and a panel of specialists.

June also features the Metropolitan Opera's production of Richard Wagner's *Ring Cycle*, presented in its entirety over four consecutive nights, June 18-21. This presentation is hosted by F. Murray Abraham and conducted by James Levine.

Routes of Rhythm, a new, three-part music series hosted by Harry Belafonte, traces the roots of Afro-Cuban music and its path to today's "salsa" sound. *Routes* will be seen June 15, 23 and 29, and features guest performances from Reuben Blades, Sheila E. and Gloria Estefan and the Miami Sound

NATPE beat

BOURBON ST.

It's a buyer's market for off-network sitcoms

First-run competition and ready supply of off-network fare are cited for holding down prices

Billed by station reps as the largest number of off-network sitcoms to hit the market at once, seven sitcoms available for the 1990-91 season—*Golden Girls*, *The Hogan Family*, *Perfect Strangers*, *Head of the Class*, *ALF*, *Amen*, and *227*—will hit the convention floor at NATPE in New Orleans (Jan. 16-19). However, broadcast executives say the supply of these half-hour comedies will continue to exceed demand (BROADCASTING, Oct. 9), holding down prices.

In the 1987 sales season, *The Cosby Show* set cost-per-episode records in most of the top 20 markets, and guaranteed Viacom Enterprises over \$600 million in revenues through 1993. Columbia Pictures Domestic Television's *Who's The Boss?* was the high-ticket item among the handful of 1988 offerings, sold, according to one station rep source, at 60%-75% of the cost of *Cosby* in most markets. The source pointed out that *Who's The Boss?* topped *Cosby* in one market, Los Angeles, where the rep said *Boss* sold to KHI-TV for \$240,000 per week compared to the estimated \$225,000 *Cosby* garnered from competing independent KCOP-TV.

"Before *Cosby*, affiliates were not playing the field for sitcoms," the rep source said. "There were only 10-12 independent stations that could meet the kind of dollars that affiliates were putting together for *Cosby*. Certainly there were only a few independents in the top 20 that could play hardball with the affiliates. Well, the affiliates didn't know what they were getting into, and they went in over their heads with *Cosby*. Most indies went over their heads also. Now we're going back to the way it was before...an independents-only market among the top 50 markets, and the prices are coming back down."

A number of reasons are given for the declining prices of sitcoms, some more obvious than others. Syndicators, station reps and station executives seem to be in agreement that time period availabilities are tightening up, an increased supply of off-net product and a widening variety of first-run programs are available, and a generally cautious approach toward ratings research and bottom-line budgets is

more prevalent than two years ago.

Keith Samples, senior vice president, off-network programming, Warner Bros. Domestic Television, believes that stations have drawn the line on acquiring premium sitcom product. "There are a lot of stations out there servicing huge debts," said Samples, whose company is readying *The Hogan Family*, *Perfect Strangers*, *Head of the Class* and *ALF* for fall 1990 syndication (in some cases for a fall 1991 window). The management at stations has matured a lot. There are very few defensive buys (to acquire a program just so a competing station can't get it) these days. Most station executives are buying only what they need."

Warner's four sitcom offerings, which in most contracts will start airing during the 1990 season, account for over 415 station clearances. According to Samples, *ALF* heads the list with over 150 clearances sold (approximately 90% coverage), followed by *Head of the Class* (120 clearances), *Perfect Strangers* (100-plus markets sold) and *The Hogan Family* (45 stations cleared). Buena Vista Television has had *Golden Girls* on sale during the year, putting together 110 market clearances. MCA-TV also has *Amen* sold in 63 markets, and Columbia Pictures Domestic Television has written up contracts accounting for over 50% coverage in the U.S.

Samples says the variety and supply in this season's offerings have afforded station executives the opportunity to be more selective in their purchasing decisions. "Stations are becoming more research-oriented," he said. "For the long-term health of the business, people are just more cautious about purchasing higher-end product. Ultimately, as a supplier I want stations to remain healthy. We [distributors] can't remain in business if we just concentrate on profit margins. Stations have to make money for us to make money."

Dick Kurlander, vice president, programming director, Petry Television, says this year's crop of sitcom offerings is "excellent," and that there will be an "ample" supply of sitcoms into 1992, holding down the average price. Kurlander said *Golden Girls* may have initially been this year's cost-leader, but he said Buena Vista has lowered the price after slow sales at the outset. He noted that *Golden Girls* is differentiated from the other sitcoms by

its strength with older male and female audiences and that it could do "especially well" as a news lead-in or in late fringe.

Among the other fare, Kurlander cited *Perfect Strangers* as having "broad demo appeal" and physical comedy reminiscent of *I Love Lucy*. *ALF*, on the other hand, he thought, would be best served as an "indie-driven kids' program." While lauding *227* for its "overall demographic strength," Kurlander said that *Head of the Class* might need some "protection" (strong lead-in programming) and he said he was unsure *Amen* star Sherman Hemsley could duplicate his past success with *The Jeffersons*.

Mike Levinton, director of programming, Blair Television, also concluded that *Golden Girls* may have been this selling season's "price setter," but that Buena Vista

lowered its prices because "once you've sold life insurance to your relatives, then you have to sell to strangers who are looking for more pricing incentives to buy the protection."

But down the line, MCA TV President Shelly Schwab says there will be other premium sitcoms like *Cosby* or *Who's The Boss?* that will command top dollar. "You will always have a show that defies the marketplace," Schwab said. "There are always those one or two sitcoms that sit atop the network ratings for several years and build up the expectations for their off-network runs. Somewhere down the line there will be another sitcom that will be a 'must-have' for local stations."

On the station side, Jim Boaz, vice president and general manager of Philadelphia's WTXF-TV (a Fox affiliate), says station executives will be more focused on the acquisition of original first-run programming. "We did most of our sitcom purchasing in advance," said Boaz, who would not divulge what those acquisitions were. "It's a tough marketplace for sitcoms with more reality-based programs and game shows fighting for those early fringe and access slots."

Pigskin preview

The Museum of Broadcasting sponsored a seminar last week to showcase plans for CBS's coverage of Super Bowl XXIV, in New Orleans on Jan. 28, 1990. Most of the lively session was taken up by anecdotes told by CBS's first-string National Football League anchor team of John Madden (color analyst) and Pat Summerall (play by play). Like the time Madden sat on Summerall's headset. "The sad thing was I didn't even feel it under there," quipped Madden. Ted Shaker, executive producer, CBS Sports, said one innovation on the technical side will be the addition of audio microphones suspended from the ceiling of the Superdome to better capture the intensity of impact when players collide on the field. "The sound of the players clashing on the field hasn't translated as well as we've captured it on videotape," said Shaker. "What we'll try to do is surround the action [with mikes] as best we can." Shaker said that most of the two-hour pre-game show has not been set. He did say, however, that one element confirmed is that three former NFL greats, Ken Stabler, Terry Bradshaw and Dan Fouts, will partake in a roundtable discussion of game strategy.

Stu Powell, vice president and general manager, WFLD-TV Chicago, downplayed the entire crop of new sitcoms, saying there are "no hit-makers or station-makers" in the batch. He added: "There is nothing that fits those categories. Filler material is what is coming out right now."

The hour-long off-network market continues to languish. Cable has been the only avenue for the genre, and no marked

change in that status appears imminent. Viacom has indicated it may bring *Matlock* into syndication in fall 1990 or 1991, but a spokeswoman said a decision has yet to be made if Viacom will forego a future cable window. The next opportunity stations will have to buy hour dramas may be in 1991, when TeleVentures has slated *21 Jump Street* for release, and *Wiseguy* for fall 1992.

—MF

Viacom plans four on the floor at NATPE

Topics of shows in works include superhero, magazine, talk, lifestyle

Viacom will go to January's NATPE convention with four proposed new programs, including *Super Cop*, a companion program to *Superboy*, so far one of the strongest performing weekly shows of the 1989-90 season.

In addition, the company plans to launch a new one-hour magazine strip, targeted to late night, called *Entertainment Coast to Coast*, a new talk strip for early fringe/access with Ross Shafer, and a weekly lifestyle show, *America's Hit List* (BROADCASTING, Oct. 16).

According to Michael Gerber, president, acquisitions and first-run programming, Viacom is purposely avoiding projects targeted to prime access. "We just did not want to jump into that fray this year," he said. "We just felt that this wasn't the year to do that."

The competition to develop new access shows for the 1990 season is intense, with heavyweight distributors such as King World, Warner Bros. and Buena Vista, as well as a slew of other companies, trying to launch new game shows.

Instead, Viacom is shooting for early-fringe, daytime, late night and weekend access, all important local dayparts for stations. "We have looked for opportunities where shows aren't working," said Gerber. There are a number of marginally performing programs on the air that may just disappear after the current season, he said. "We are looking for those weaker series, to have an opportunity to replace them."

Viacom sales people hit the street last week with *Super Cop*, being offered for barter, and being positioned, with *Super-*



'Entertainment Coast to Coast': (l-r) Roger Rose and Katherine Kinley (hosts) with guests Faith Ford and Joe Regalbuto of 'Murphy Brown'

boy, as the "Viacom Super Hour." Gerber said the shows offer a strong counter-programming strategy to one-hour weekly programs such as Paramount's *Star Trek: The Next Generation*.

The *Super Cop* pilot has Nick Cassavetes (son of the late John Cassavetes and Gina Rowlands) in the lead role. Negotiations are ongoing concerning his role in the series.

Marketing plans for the other three programs were being formulated at press time, and word is that all three may start to be pitched to stations as early as this week.

The Shafer-hosted talk show is entitled *Not for Men Only*, designed to give women greater insight about men. The format will be similar to the existing daytime talk shows. However, the show may be reduced

to a half hour, depending on the outcome of marketing meetings, where terms are also being formulated.

Entertainment Coast to Coast has a "late night feel to it," according to Gerber, but could play in early fringe or access as well. The show will offer behind-the-scenes looks at the film and TV industries, but won't be day and date, like *Entertainment Tonight*. Most of the taping will be done on the weekends. "It's not a hard news show," said Gerber. "It has more of a magazine feel. If we interview Burt Reynolds, it won't be to tie into his latest movie. Instead the questions would be more like, 'What's it like living with Loni Anderson?'"

Terms are not final on *Entertainment*

56TH STORY of Level 1 printed in FULL format.

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February 27, 1988, Saturday, Late City Final Edition

SECTION: Section 1; Page 37, Column 3; Financial Desk

LENGTH: 1502 words

HEADLINE: First-Run Syndicators Find Tight TV Market

BYLINE: By RICHARD W. STEVENSON, Special to the New York Times

DATELINE: LOS ANGELES, Feb. 26

BODY:

In recent years, the business of making programs for local television stations has been one of the fastest-growing segments of the entertainment industry, if also the least glamorous.

Shows like "'Wheel of Fortune,'" "'Entertainment Tonight'" and "'The People's Court'" have been big money makers.

But for producers of non-network shows, the business known as first-run syndication is now facing a much tougher environment: while demand from stations is relatively weak, the number of new shows being developed continues to grow strikingly.

"The business is dangerous," said Marvin Grieve, a program syndicator who is president of the Association of Program Distributors. "It's crowded. There are too many programs and too few time slots."

This year, the major studios and smaller production companies are offering the usual grab bag of trash, fun and games, and network-quality comedy and drama for the television season that starts in September. The programs range from talk shows with hosts like G. Gordon Liddy, the Watergate burglar; Don King, the flamboyant boxing promoter, and Howard Cosell, the former sports announcer, to situation comedies like "'The Munsters Today,'" to game shows like "'Pearl Bailey's Love Court,'" in which the singer will oversee a panel of "'love litigators'" mediating romantic disputes.

There will also be more ambitious dramatic programming, including "'The Street,'" a late-night police show from MCA Television Enterprises. The success in syndication this year of "'Star Trek: The Next Generation'" from Gulf and Western's Paramount Pictures Corporation has led that studio to develop a series based on "'War of the Worlds.'" Paramount's "'Friday the 13th: The Series'" has spawned imitators like "'Nightmare on Elm Street: Freddy's Nightmares'" from Lorimar Telepictures Corporation.

Few Offerings Will Be Produced

Few of the hundreds of new offerings, however, will be purchased by enough stations to justify being produced, industry executives said.

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"There are an enormous number of pilots, and only a handful will get on the air," said Dick Gold, the president of Casablanca IV, a syndicator that is selling "Howard Cosell: Speaking of Everything" and "Crimes of the Century," which will re-create cases of infamous malfeasance.

Part of the problem is that many of the prime afternoon and early evening time slots on local stations are already locked up by successful syndicated shows like "Wheel of Fortune," "Jeopardy" and "Oprah." Many stations also have depleted their budgets by buying the rights to reruns of network programs like "The Bill Cosby Show."

In a more general sense, the problems are the result of the widespread financial difficulties plaguing local television stations, especially those that are not affiliated with one of the three major networks.

Those independent stations are the major consumers of syndicated programming. Many of them were acquired over the last five years by new owners who took on heavy debt loads to buy them at top prices, only to see advertising revenues drop off and program costs soar. In the last year, 23 independent stations have gone bankrupt and others have found their cash flows badly crimped.

While advertising expenditures are picking up again this year, executives at both independents and network-affiliated stations remain hesitant about acquiring expensive programs. Aside from the few top-rated syndicated shows - "Wheel of Fortune" and "Jeopardy" are No. 1 and No. 2 - almost all shows will go for prices significantly lower than the syndicators are asking.

"Wheel of Fortune" generates revenues of \$400,000 an episode from fees paid by local stations as well as revenues from advertising time sold by the show's syndicator. By comparison, new shows often bring in a tenth of that or less.

A Rude Awakening

"The last year taught us that we are going to have to be even more cost-conscious when it comes to acquiring programming," said Deborah McDermott, the general manager of WKRN-TV in Nashville, who is president of the National Association of Television Program Executives.

For many syndicators and program producers, today's tight market is a rude awakening after years of being able to sell new shows every season to the large number of stations that went on the air in the early and mid-1980's. There were 96 syndicated first-run shows on the air at the start of the 1987-88 season, compared with 88 in 1986 and 25 in 1980.

Lured by the huge success of "Wheel of Fortune" and "Jeopardy," hundreds of small companies sprang up to supply stations with game, talk and courtroom shows and the like.

Future Dim for Small Studios

Today, many of those small companies face a precarious future. Not only will they have trouble selling their shows, but they must face increased competition from Hollywood's biggest studios, which have steadily been expanding their operations in first-run syndication.

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"The smaller guy will have a really hard time," said Al Masini, the president of Telerep, a syndicator and advertising sales representative.

Paramount, the Tracinda Corporation's MGM/UA Communications Company, the Walt Disney Company and MCA Inc., the parent of Universal Studios, have now joined Lorimar as powerhouses in the business. They bring not only experience in producing network-quality shows but also the financial strength to support the huge sales staffs necessary to market new programs aggressively to hundreds of individual stations.

"For the studios, making programming for first-run syndication is as important as making programming for the networks," said Lucille Salhaney, president of Paramount's domestic television division.

First-run syndication has become more attractive to the big studios as making shows for the networks has become less profitable.

Because of competition from independents and cable television, the networks' share of audience has declined to 70 percent this year, from 87 percent six years ago, according to the A.C. Nielsen Company.

Facing more pressure to cut costs, ABC, NBC and CBS have been holding the line on the fees they pay studios to make their shows. Studios generally lose money on a show's network run, but they have always banked on being able to make money on the sale of reruns. Now, however, the off-network market for reruns has dried up, except for a few blockbuster hits like "The Bill Cosby Show."

"The entire industry is now focusing on first-run syndication because it is recognized as the fastest-growing and potentially most profitable part of the business," said Shelly Schwab, the president of MCA Television Enterprises.

The Lure of the Business

The lure of the business is easy to see. "Wheel of Fortune," the most successful syndicated show ever, brings fees and advertising revenues of more than \$100 million to King World Productions Inc., its syndicator, and Merv Griffin Enterprises, the unit of the Coca-Cola Company's Columbia Pictures Industries that produces the show. "Wheel of Fortune" reportedly costs about \$8 million a year to make.

Lisbeth R. Barron, an analyst at Balis Zorn Gerard Inc., estimates that three of Lorimar's top syndicated shows - "The People's Court," "Love Connection" and "Superior Court" - together bring in annual revenues of \$45 million and generate \$16 million in operating income. Most of that, she said, is from "The People's Court."

The circumstances are more complicated for syndicated situation comedies, of which there has been a glut for the last two years. Even a successful show such as Lorimar's "She's the Sheriff" does not make money on its initial run. The typical situation-comedy episode costs \$300,000 to make, but brings in initial revenues of only \$200,000 to \$250,000.

Betting on Rerun Sales

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To make money in the long run, then, a studio is betting that it can sell the show all over again as a rerun. No one yet knows how successful a strategy it will be, since studios are only now beginning to offer their syndicated shows as reruns. If they cannot get the prices they hope for, Ms. Barron said, "it does not bode well for first-run sitcoms."

The business is also getting more difficult because stations are demanding that syndicated comedy and drama be of network quality - even though they do not pay network prices for it. Paramount's "Star Trek: The Next Generation," one of the few new syndicated hits of the current season, is made by the studio's network division on a reported budget of about \$1.3 million an episode, about what most hourlong network shows cost to make.

The studios said that after years of being at the bottom of the Hollywood totem pole, syndication is finally getting some respect from actors, writers, directors and other creative personnel. For one thing, syndicated shows are usually made in batches of at least 24 episodes, compared with as few as six for network programs, which means more job security.

GRAPHIC: Graph of number of syndicated shows first-run programs shown on the air at the start of each season, 1980-81, 1986-87, 1987-88 (Source: Paramount Pictures); photos of scenes from first-run syndicated TV shows: "Pearl Bailey's Love Court," "The Street"

SUBJECT: TELEVISION; TELEVISION PROGRAMS

NAME: STEVENSON, RICHARD W

14TH STORY of Level 1 printed in FULL format.

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May 10, 1990, Thursday, Home Edition

SECTION: Business; Part D; Page 1; Column 5; Financial Desk

LENGTH: 870 words

HEADLINE: COLUMBIA NEARS \$32-MILLION PACT FOR HOT TV DUO;
TELEVISION: TWO WRITERS ARE RIDING 'MARRIED . . . WITH CHILDREN' TO RICHES. THIS
WOULD BE THE LARGEST STUDIO DEAL EVER FOR A TV COMEDY WRITING TEAM.

BYLINE: By JOHN LIPPMAN, TIMES STAFF WRITER

BODY:

Ron Leavitt and Michael Moya, the producers of the hit comedy series "Married . . . With Children," are close to signing a deal with Columbia Pictures Television that would catapult the two relatively unknown writers overnight into the ranks of Hollywood's best-paid creative talent.

Leavitt and Moya are now weighing a \$32-million, three-year renewal deal with Columbia that includes a significant portion of the syndication profits from "Married" as an enticement to keep them at the studio, according to sources. Columbia produces the show for Fox Broadcasting Co.'s television network.

If Leavitt and Moya accept the offer, it would be the largest studio deal for a television comedy writing team in history, and would represent another move upward in the spiraling fees paid to writers.

The stakes have escalated drastically in what otherwise might have been an uneventful negotiation because Columbia is also rolling out a highly publicized campaign to sell the reruns to "Married . . . With Children" to local television stations.

Depending on how much stations pay for those reruns, Columbia could gross between \$124 million and \$153 million from "Married" before calculating additional revenue from the sale of advertising time in the show. The final gross could also be higher if the series stays on Fox longer than five years.

Columbia has come under intense pressure to wrap up a deal with Leavitt and Moya because other studios, particularly Disney and Universal, have expressed a strong interest in having the Leavitt-Moya team join them. Although the other studios easily could have afforded a financial package at least as rich as what Columbia has offered, they could not offer an immediate advance against lucrative syndication revenues.

The rerun revenue has become an issue for Leavitt and Moya because, sources said, their current deal did not include participation in the show's rerun income.

"Married . . . With Children" premiered on Fox in April, 1987, as one of the first shows on the then-fledgling fourth network. Over the past three years, the show -- about the hapless working stiff Al Bundy and his warts-and-all family -- has attracted a steadily growing audience, particularly among the young adult

TOP 30 SERIES RANKED BY 1990 HHVH

No.	Type	BIB Code	Title	HHVH
1.	S	01672	The Andy Griffith Show	59,491,665
2.	S	01561	The Flintstones	51,236,593
3.	S	00788	Perry Mason	38,209,836
4.	S	01646	Tom and Jerry	38,200,309
5.	S	01680	The Beverly Hillbillies	31,901,601
6.	S	16376	National Geographic Explorer Magazine	30,855,413
7.	S	01690	The Brady Bunch	30,421,607
8.	S	01800	The Jeffersons	25,945,933
9.	S	14295	World Championship Wrestling	25,543,759
10.	S	00465	The Little House on the Prairie	25,449,565
11.	S	17063	Geraldo Live!	25,322,708
12.	S	01763	Good Times	23,679,502
13.	S	06150	NWA Wrestling	23,318,172
14.	S	14835	Night Court	19,896,799
15.	S	01681	Bewitched	18,132,966
16.	S	00445	Hawaii Five-o	17,641,089
17.	S	01754	Gilligan's Island	17,019,729
18.	S	15143	Who's The Boss?	15,727,700
19.	S	14898	Charles in Charge	15,090,300
20.	S	18005	Chip N Dale's Rescue Rangers	14,829,190
21.	S	01900	Sanford & Son	14,216,064
22.	S	09754	Magnum P.I.	14,025,836
23.	S	19712	The Joan Rivers Show	12,570,474
24.	S	13458	Cheers	12,529,127
25.	S	14882	The Cosby Show	12,278,064
26.	S	14070	The A-Team	12,123,330
27.	S	16545	Ducktales	11,029,263
28.	S	18124	Fun House	10,708,825
29.	S	09102	Happy Days Again	10,543,676
30.	S	01829	M*A*S*H	10,246,872

**SYNDICATED PROGRAMS MENTIONED IN
TESTIMONY OF RICHARD THRALL
(RANKED BY 1990 HHVH)**

<u>Syndicated Show Title</u>	<u>1990 HHVH</u>
The Geraldo Rivera Show (Geraldo Live!)	25,322,708
The Joan Rivers Show	12,570,474
Star Trek: The Next Generation	9,009,792
The Oprah Winfrey Show	4,949,202
The Wheel of Fortune	4,442,087
The Donahue Show	4,085,623
Jeopardy	3,996,880
Entertainment Tonight	3,069,733
Sally Jessy Raphael	3,053,582
Inside Edition	1,212,014

Source: P.S. Exhibit ARC-5 (1990 Direct Case)

**PROGRAMS MENTIONED IN TESTIMONY OF RICHARD THRALL
PERCENTAGE OF MPAA TOTAL PROGRAMMING IN HHVH**

<u>Syndicated Program Title</u>	<u>1990 HHVH</u>
The Geraldo Rivera Show (Geraldo Live!)	25,322,708
The Joan Rivers Show	12,570,474
Star Trek: The Next Generation	9,009,792
The Oprah Winfrey Show	4,949,202
The Wheel of Fortune	4,442,087
The Donahue Show	4,085,623
Jeopardy	3,996,880
Entertainment Tonight	3,069,733
Sally Jessy Raphael	3,053,582
<u>Inside Edition</u>	<u>1,212,014</u>
Total	71,712,095

<u>Total Series 1990 HHVH</u>	<u>Total Series and Movies 1990 HHVH</u>
1,085,325,466	1,656,279,884

<u>Program</u>	<u>% of Series</u>	<u>% of Series and Movies</u>
Geraldo	2.3	1.5
Joan Rivers	1.2	0.8
Star Trek: Next Generation	0.8	0.5
Oprah Winfrey	0.5	0.3
Wheel of Fortune	0.4	0.3
Donahue	0.4	0.2
Jeopardy	0.4	0.2
Entertainment Tonight	0.3	0.2
Sally Jessy Raphael	0.3	0.2
<u>Inside Edition</u>	<u>0.1</u>	<u>0.1</u>
Total Programs	6.6%	4.3%

Source: MPAA Exhibit ARC-5 (1990 Direct Case)